

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers
FROM: Chairman Phil Mendelson
Committee of the Whole
DATE: May 28, 2014
SUBJECT: Report on Bill 20-750, the “Fiscal Year 2015 Budget Support Act of 2014”

The Committee of the Whole, to which Bill 20-750 was referred, reports favorably thereon with amendments and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of Bill 20-750, the Fiscal Year 2015 Budget Support Act of 2014 (FY 2015 BSA), is to amend and enact various provisions of law that support the implementation of a balanced Fiscal Year 2015 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 20-750 is available in the various committee budget reports. The committee print attached to this report contains FY 2015 BSA subtitles as recommended by the Committee of the Whole based on recommendations and feedback from the various Council committees. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations play an important role in the performance and budget review process by the Council. The Committee of the Whole expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

II. LEGISLATIVE CHRONOLOGY

- April 3, 2014 Chairman Mendelson introduces Bill 20-750 on behalf of the Mayor
- April 7, 2014 Committee of the Whole holds a public briefing on Bill 20-749, Bill 20-750, and the Mayor's Fiscal Year 2015 Proposed Budget and Financial Plan
- April 11, 2014 Notice of public hearings on Bill 20-750 is published in the *District of Columbia Register*
- April 11, 2014 Notice of Intent to Act on Bill 20-750 is published in the *District of Columbia Register*
- April 9 - May 9, 2014 Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2015 Budget Support Act of 2014 that were referred to them for comments
- May 9, 2014 Committee of the Whole holds a public hearing on Bill 20-749 and Bill 20-750
- May 14-15, 2014 Committees mark up and approve their budget recommendations for Fiscal Year 2014
- May 28, 2014 Committee of the Whole marks up Bill 20-750

III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 20-750 on behalf of the Mayor. On May 8, 2014, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 20-750 and budget documents.

At the May 9, 2014 hearing on Bill 20-750, Eric Goulet, Deputy Chief of Staff and Director of the Mayor's Office of Budget and Finance, presented testimony on behalf of the Mayor.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee of the Whole received no testimony or comments from any Advisory Neighborhood Commission on Bill 20-750.

V. LIST OF WITNESSES

The Committee of the Whole held a public hearing on Bill 20-750 on May 13, 2013. The witness list was as follows:

1. Nancy Shia Program Director, Mentoring Works II
2. Bruce McKaig Representative, This Neighborhood Has a Face: Talking Pictures
3. Cosby Hunt Manager of Teaching & Learning, Center for Inspired Teaching
4. Mary Levy Public Witness
5. Jenny Reed Policy Director, DC Fiscal Policy Institute
6. David Bardin Public Witness
7. Katalin Peter DC Association of Realtors
8. Jean-Michel Giraud Executive Director, Friendship Place
9. Sally Craig Co-President of the Board, Friendship Place
10. Alan Banks Peer, Friendship Place
11. Bryan Kurtz Volunteer, Friendship Place
12. Harry Wingo President/CEO, DC Chamber of Commerce
13. Nechama Masliansky Senior Advocacy Advisor, So Others Might Eat, Inc.
14. Lisa Mallory CEO, DC Building Industry Association
15. Sean Cahill President, DC Building Industry Association
16. Lashell Rivers Public Witness
17. Scott Schenkelberg President, Miriam's Kitchen
18. Kurt Runge Advocacy Director, Miriam's Kitchen
19. Bob Bremner Incoming Board Chair, Humanities Council of Washington, DC
20. David Schwartzman DC Statehood Green Party
21. Ed Wood DC Association of Realtors
22. Robert Warren Director, People for Fairness Coalition
23. Nassim Moshiree Staff Attorney, Washington Legal Clinic for the Homeless
24. Kate Coventry DC Fiscal Policy Institute
25. Dan Wedderburn DC for Democracy
26. Nicola Whiteman Vice President of Government Affairs, Apartment and Office Building Association
27. Jackie Duke Vice President of Operations, Greater DC Region, Brookfield Office Properties
28. Shari Rosenburg Director for Property Management and Administration, Boston Properties
29. Joe Kessler Apartment and Office Building Association
30. Brian Adams Public Witness
31. Michael Weincek President, Weincek +Associates, Architects +Planners
32. Ben Roberts Pastor, Foundry United Methodist Church
33. Samantha Waxman Public Witness, Ward 1 Resident
34. Juanita McKenzie 930, 940, 960 Randolph Street Tenants Association

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| 35. | Louis Perwien | Public Witness |
| 36. | Monica Kamen | Community Organizer, Jews United for Justice |
| 37. | Tiffani Ross | Director of Community Outreach and Training, Life Pieces
To Masterpieces |
| 38. | Jesse Lovell | Public Witness |
| 39. | Bobby Cavallero | Public Witness |
| 40. | Julia Senerchia | Public Witness |
| 41. | Jonah Davenport | Public Witness |
| 42. | Sapiya Euing Boyd | Public Witness |
| 43. | Renee Wadsworth | Senior Manager – State Affairs, Auto Alliance |
| 44. | Libby Hill | Program Trainer, Global Kids |
| 45. | Robert Pohlman | Executive Director, Coalition for Nonprofit Housing and
Economic Development |
| 46. | Ericka Taylor | Executive Director, DC Fair Budget Coalition |
| 47. | Miriam Savad | Public Witness |
| 48. | Michael Sindram | DC Justice for All |
| 49. | Eric Goulet | Deputy Chief of Staff and Budget Director, Office of the
Mayor |

VI. IMPACT ON EXISTING LAW

Bill 20-750 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *infra*.

VII. FISCAL IMPACT

Bill 20-750 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the FY 2015 budget. The fiscal impact of the legislation is set forth in the attached fiscal impact statement of the Office of the Chief Financial Officer.

VIII. SUBTITLE-BY-SUBTITLE ANALYSIS¹

Section 1 States the short title of Bill 20-750.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

Subtitle A. Bonus and Special Pay Limitation Act: prohibits the award of most bonuses, special awards pay, and service awards in FY 2015. Similar language has been adopted in the BSA for each of the last several fiscal years.

Subtitle B. Elected Attorney General Implementation and Legal Service Establishment Technical Amendment Act: delays the deadline, from October 1, 2014 to October 1, 2018, for certain organizational changes in the Office of the Attorney General, due to separate legislation that provided for the Attorney General to become an elected office beginning in 2018.

Subtitle C. Public Sector Workers' Compensation Budget Savings Act: requires District government workers' compensation recipients to report earnings within 30 days of a Mayoral request; requires temporary disability to be exhausted before other payments are made.

Subtitle D. Technology Services Support Amendment Act: expands permissible revenue sources for the DC-Net Support Fund, allowing the Office of the Chief Technology Officer to offer DC-Net to more recipients.

Subtitle E. Capital Policy and Reserve Account Amendment Act: provides that the dedicated revenue for the Paygo Capital Account shall begin with the FY 2017 budget and revises the methodology for calculating the dedication (to use a floating base year); expands the permitted uses of the District's two locally-mandated reserves (the Fiscal Stabilization Account and the Cash Flow Reserve); dedicates District surpluses – after the four reserve accounts are filled – to be deposited 50% in the Housing Production Trust Fund and 50% into the Paygo Capital Account; requires any unexpended amounts in the Debt Service paper agency to be used to reduce future capital borrowing; requires the Chief Financial Officer to develop a replacement schedule for the District's capital assets.

Subtitle F. Government Family Leave Program Amendment Act: provides up to 8 weeks of paid leave per year for District government employees whose household experiences a qualifying event, including the birth or adoption of a child or the care of a family member in a serious health condition; requires that the leave be taken in consecutive or intermittent one-day increments; provides that the use of this leave shall count against the 16 weeks of family leave set forth in the District of Columbia Family and Medical Leave Act of 1990.

¹ Due to the size and complexity of the committee print of Bill 20-750, this part of the report analyzes the legislation by subtitle, rather than by section.

Subtitle G. Office of Contracting and Procurement Surplus Property Sales Fund Establishment Act: re-establishes the Surplus Personal Property Fund under the Office of Contracting and Procurement to receive revenues from the sale of surplus property and fund the surplus personal sales online auction vendor contract; provides that surplus sales revenues in excess of the amount needed to fund the contract shall be deposited in the General Fund.

Subtitle H. Commission on Fathers, Men, and Boys Establishment Act: establishes the Commission on Fathers, Men, and Boys to advocate and serve as a resource for the District's male residents.

Subtitle I. Grants Administration Amendment Act: amends existing law to extend its provisions to cover grants provided in the FY 2015 BSA; sets forth competition, transparency, and reporting requirements for District-issued grants in order to ensure accountability and an ethical distribution of funds.

Subtitle J. Workplace Wellness Act: requires the Mayor to develop and adopt a workplace wellness policy, to be updated biannually, to improve nutrition in the District government workplace and improve the health of District government employees; provides that the Mayor shall issue rules establishing healthy standards for food and beverage served or purchased by the District, using guidance from the General Services Administration (excluding food served to children in schools and food served by the Department of Corrections and the Department of Behavioral Health to persons in their custody).

Subtitle K. Emancipation Day Amendment Act: requires the Mayor to coordinate the Emancipation Day Parade in consultation with the Council; provides that agencies that might normally charge for permitting, staffing, or related costs related to the parade shall absorb those costs.

Subtitle L. Statehood Initiatives Budgeting Act: consolidates the budget for the District's statehood efforts into one new paper agency, "Statehood Initiatives."

Subtitle M. Home Rule Act 40th Anniversary Celebration and Commemoration Commission Extension Amendment Act: delays the sunset of the Home Rule Act 40th Anniversary Celebration and Commemoration Commission from October 1, 2014 to January 31, 2015.

Subtitle N. Pay for Success Contract Authorization Act: authorizes the Mayor to enter into "pay for success" contracts, based on the concept of social impact bonds; establishes the Pay for Success Contract Fund to finance the contracts.

Subtitle O. Financial Reporting Act: requires the Chief Financial Officer to provide to the Council a quarterly report on the progress toward the projected non-personal services and other savings for FY 2016.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

Subtitle A. Manufacturer Tasting Permit Amendment Act: allows brewers to apply for on-site sales and consumption permits.

Subtitle B. Consumer Procedures and Protections Enforcement Amendment Act: authorizes the Department of Consumer and Regulatory Affairs to pursue consumer protection violations as Class II civil infractions (or other levels as set by rulemaking); makes it a violation to harass or threaten a consumer with any act other than legal process; provides for a civil fine in the amount of \$1000 for failure to obey a consumer protection order.

Subtitle C. Solar Permitting Fees Amendment Act: establishes a fee structure (based on power for solar-photovoltaic and number of panels for solar-thermal) specific to the installation of solar energy systems, reducing the cost of installation.

Subtitle D. Public Utilities Reimbursement Fee Amendment Act: authorizes refunds of overpayments made to the Public Service Commission of certain amounts by public utilities and suppliers.

Subtitle E. Film DC Incentive Fund Amendment Act: reestablishes the Film DC Incentive Fund; restores former provisions of law governing the use of film incentives.

Subtitle F. Free Transportation for Summer Youth Amendment Act: provides Metrobus subsidies for youth participating in the 2015 Summer Youth Employment Program, for the first 3 weeks of the program.

Subtitle G. Food Stamp Expansion Amendment Act: establishes a local add-on to the Supplemental Nutrition Assistance Program, bringing minimum monthly benefits up to \$30; provides that the benefit shall begin January 1, 2015.

Subtitle H. Cable Television O-Type Transfer Amendment Act: transfers, at the end of FY 2014, an unused fund balance of \$1.8 million from the Cable Television Franchise Fees Fund under the Office of Cable Television; provides that the funds shall be used in FY 2015 to hire 10 family case managers at DC General homeless shelter (\$500,000), to increase the Community Schools Fund (\$1 million), and to increase funding for the Home Purchase Assistance Program (\$300,000).

Subtitle I. Home Purchase Assistance Program Amendment Act: increases the base amount for down payment assistance for the lowest-income applicants for HPAP from \$40,000 to \$50,000, adjusted based on income.

Subtitle J. Retail Priority Amendment Act: expands the boundaries of the Ward 4 Georgia Avenue Priority Area; merges the Bladensburg Road Retail Priority Area into the neighboring H Street Retail Priority Area.²

Subtitle K. Residential Essential Service Subsidy Stabilization Amendment Act: amends the Clean and Affordable Energy Act to remove the Residential Essential Service natural gas subsidy for low-income ratepayers from the District Department of the Environment (“DDOE”) and the Energy Assistance Trust Fund (“EATF”); reduces the EATF assessment on sales of natural gas; requires the Public Service Commission to establish a similar program.

Subtitle L. Renewable Energy Portfolio Standard Amendment Act: delays an annual reporting date related to the renewable energy portfolio standard from April 1 to May 1.

Subtitle M. Accrued Sick and Safe Leave Clarification Amendment Act: clarifies the tolling provisions associated with an administrative complaint and the availability of the administrative damages provisions; makes technical fixes regarding provisions previously omitted in the 2014 amendments.

TITLE III. PUBLIC SAFETY AND JUSTICE

Subtitle A. Police Escort Reimbursement Act: authorizes the Metropolitan Police Department to provide police escorts necessary to protect public health and safety; provides that the Chief may establish and collect reimbursements for such escorts and deposit the revenues in a newly established MPD Overtime Reimbursement Fund.

Subtitle B. State Safety Oversight Agency Establishment Amendment Act: designates the Fire and Emergency Medical Services Department as the state safety oversight agency for streetcar purposes and provides the Department with associated powers and duties.

Subtitle C. Microstamping Implementation Amendment Act: delays the existing deadline by which firearms dealers must only offer for sale microstamp-ready firearms, from January 1, 2014 to January 1, 2016.

Subtitle D. Access to Justice Initiative Administrative Costs Amendment Act: amends the restrictions on the use of Access to Justice grant funds for administrative purposes; provides that training shall not be deemed an administrative expense.

Subtitle E. Deputy Chief Medical Examiner Amendment Act: sets the salary of the Deputy Chief Medical Examiner at \$206,000.

² The Committee believes that the various retail priority areas scattered throughout various resolutions, amendments thereto, and existing statutes should be consolidated into a single act for the sake of transparency and ease of future amendment. Aside from the substantive provisions identified in the subtitle-by-subtitle analysis, there would be no other proposed substantive amendments. The Committee is working closely with the Office of the General Counsel to develop such language to be added to this subtitle in time for 2nd reading of the FY 2014 BSA.

Subtitle F. Fire and Emergency Medical Services Overtime Limitation Amendment Act: imposes restrictions (similar to those imposed for Fiscal Years 2011 through 2014) on the use of overtime at the Fire and Emergency Medical Services Department.

TITLE IV. PUBLIC EDUCATION

Subtitle A. Funding for Public Schools and Public Charter Schools Amendment Act: establishes the per-student funding formula for the 2014-2015 school year.

Subtitle B. Alternative Education Amendment Act: defines the term “alternative program” for purposes of the school funding formula.

Subtitle C. District of Columbia Public Charter School Board Funding Amendment Act: increases, from one-half of one percent to one percent, the amount of public charter school funding that shall be transferred to support the Public Charter School Board.

Subtitle D. Preferences in Admission for Public Charter Schools Act: adds an admission preference to charter schools for children of full-time, District-resident employees at the charter school, with a cap of no more than 10% of the school’s enrollment receiving the preference.

Subtitle E. Educational Continuity Act: provides that a child in the care and custody of the District, who, while attending a DC Public School or public charter school ceases to be in that custody as a result of being placed in the permanent custody of a parent or guardian who resides outside the District, shall be considered a District resident for the purpose of school attendance; provides that the child shall be exempt from tuition until the child completes the educational program offered at the school the child currently attends.

Subtitle F. Common Lottery Advisory Board Establishment Amendment Act: establishes the Common Lottery Board to develop and maintain a common lottery system for admission to public schools; establishes the Common Lottery Board Fund to be used for the continued development and improvement of the common lottery system.

Subtitle G. Education Funding Formula Equity Amendment Act: requires that beginning in FY 2016, the District must provide services to District of Columbia Public Schools and Public Charter Schools on an equal basis.

Subtitle H. Healthy Tots Act: establishes the Healthy Tots Fund, to be administered by the Office of the State Superintendent of Education (“OSSE”), to provide additional funding for healthy meals served by participating child development facilities; provides a schedule for reimbursement rates for meals, including an add-on for locally grown and processed foods; sets forth grant requirements for the Fund; establishes duties for OSSE regarding monitoring and training for participating child development facilities; requires that OSSE issue rules to implement the subtitle, including nutritional standards for meals and snacks served at child

development facilities; mandates that the Department of Parks and Recreation (“DPR”), to the extent feasible, allow child development facilities to use DPR facilities when available.

Subtitle I. Charter School Facilities Allotment Amendment Act: increases the per-pupil facility allowance for Public Charter Schools.

Subtitle J. Public Charter School Board Donation Amendment Act: provides that the Public Charter School Board may accept and use gifts without prior approval from the Mayor.

Subtitle K. Deputy Mayor for Education Limited Grant-Making Authority Act: establishes grant-making authority for the Deputy Mayor for Education for the limited purposes of a competitive grant for the development of a language immersion public charter school campus serving middle- and high-school students (\$2 million) and a competitive grant 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 (\$2 million).

TITLE V. HEALTH AND HUMAN SERVICES

Subtitle A. Department on Disability Services Amendment Act: requires the Department on Disability Services (“DDS”) to enter into an agreement with the Department of Health Care Finance to administer any waiver targeted for people with intellectual and developmental disabilities and their families; establishes an 11-member Family Support Council to assist DDS and other agencies to develop systems of support for families throughout the lifespan of their family members with intellectual and developmental disabilities.

Subtitle B. Department of Health Functions Clarification Amendment Act: provides grant-making authority to the Department of Health (“DOH”) for a number of specified purposes, including competitive grants for HIV/AIDS prevention (\$11.55 million), the creation of a comprehensive concussion care protocol for children (\$480,000), and teen pregnancy prevention (\$2 million); establishes the Communicable and Chronic Disease Prevention and Treatment Fund under DOH, to receive paid to DOH for the prevention and treatment of communicable and chronic diseases and to be used to defray the cost of providing such services; authorizes DOH to establish and adjust a fee schedule for the provision of such services.

Subtitle C. Medical Assistance Program Amendment Act: approves or amends a number of State Plan Amendments to the District’s Medicaid program.

Subtitle D. Department of Behavioral Health Establishment Amendment Act: transfers from the Department of Behavioral Health (“DBH”) to DOH the administration and the budget of the Tobacco Control Program.

Subtitle E. Department of Behavioral Health Enterprise Fund Act: establishes the Department of Behavioral Health Enterprise Fund under DBH to receive revenue from the proceeds of the St. Elizabeths cafeteria, training fees charged by DBH’s training institute, and

recoupment of housing bridge subsidy payments; the fund shall be used to defray the costs of providing those programs.

Subtitle F. LIHEAP Heat and Eat Eligibility Preservation Amendment Act: increases the minimum Low-Income Home Energy Assistance Program (“LIHEAP”) subsidy from \$1 to \$20.01 in order to maximize recipients’ federal Supplemental Nutrition Assistance Program (“SNAP”) benefits.

Subtitle G. Health Services Planning and Development Amendment Act: excludes outpatient behavioral health services subject to the exclusive regulatory authority of DBH from the general requirement that health service providers receive a certificate of need from DOH.

Subtitle H. Temporary Assistance for Needy Families Cost of Living Adjustment Amendment Act: provides that the calculation for the 60-month limit on Temporary Assistance for Needy Families (“TANF”) benefits shall include all months in which a person has received TANF, not only while living in the District; establishes an annual cost-of-living adjustment for TANF and POWER benefits linked to the Consumer Price Index for Urban Consumers (“CPI-Urban”), except for a 46% increase for FY 2017; provides that a person’s POWER eligibility shall be subject to periodic review and redetermination instead of an annual review; requires a POWER recipient of the incapacity-based one-year continuation to apply for Social Security Disability Insurance or Supplemental Security Income benefits, if appropriate.

Subtitle I. Insurance Regulatory Trust Fund Bureau Amendment Act: provides that the existing assessments on insurers and HMOs, and the new assessment on health carriers by the Health Benefit Exchange Authority, shall be a tax and licensing and regulatory fee for purposes of calculating the medical loss ratio of the insurer, HMO, or health carrier under federal regulations; establishes the board of directors of the Insurance Regulatory Trust Fund Bureau (“the Bureau”); provides that the Bureau may audit the Health Benefit Exchange Authority Fund.

Subtitle J. AccessRx Amendment Act: exempts manufacturers or labelers of prescription drugs from local reporting requirements that are duplicated by the Patient Protection and Affordable Care Act’s requirements.

Subtitle K. POWER Expansion Amendment Act: provides that an assistance unit shall be eligible for POWER if the head of the assistance unit 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 condition for more than 12 months.

Subtitle L. End Youth Homelessness Amendment Act: requires the Interagency Council on Homelessness to develop a plan 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; requires the Department of Human Services (“DHS”) to conduct a youth census and to issue a competitive grant for street outreach to youth; requires the Mayor to issue a grant to establish one

or more intake centers for youth and to provide a minimum of 5 additional shelter beds for homeless youth and additional transitional housing for 10 youth age 18-24.

Subtitle M. Homeless Prevention Program Establishment Act: establishes a program within DHS to conduct community outreach and provide services to individuals and families at risk of becoming homeless; authorizes DHS to solicit a non-profit to co-administer the program with the executive director of the Interagency Council on Homelessness; sets requirements for the program, including a reporting requirement.

Subtitle N. Tobacco Product Manufacturer Reserve Fund Amendment Act: authorizes the Attorney General, pursuant to a settlement agreed to by the District and certain tobacco manufacturers, to share with a data clearinghouse certain information provided by District tobacco wholesalers.³

Subtitle O. SSI/SSDI Outreach, Access, and Recovery (SOAR) Pilot Program Establishment Act: establishes a pilot program to provide application assistance for individuals applying to receive Social Security Income and Social Security Disability Insurance.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Subtitle A. Vault Rent Amendment Act: transfers authority to charge for occupancy of underground vaults from the District Department of Transportation (“DDOT”) to the Office of the Chief Financial Officer (“OCFO”); establishes requirements related to the charging of such rent.

Subtitle B. Private Sponsorship of Capital Bikeshare Amendment Act: authorizes DDOT to enter into agreements for private sponsorship of Capital Bikeshare bicycles or facilities; provides that any agreement over \$50,000 shall be submitted to the Council for passive review; provides that all proceeds from such agreements be deposited into the Bicycle Sharing Fund.

Subtitle C. District Department of Transportation Managed Lane Authorization Act: allows DDOT to 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 and that DDOT submit to the Council any managed lane policy for approval by resolution before implementation.

Subtitle D. Integrated Premium Transit System Amendment Act: amends DDOT’s authority over the streetcar system; defines the term “Integrated Premium Transit System” (to include both the streetcar and the Circulator bus system); provides that the Pay-as-you-go Capital Account shall be used exclusively for the Integrated Premium Transit System until FY 2045; authorizes solicitations for construction of transportation systems to allow prospective contractors to submit alternative technical concepts.

³ The District has enacted identical emergency (Act 20-294) and temporary (Act 20-321) versions of this legislation.

Subtitle E. Pesticide Registration Fund Amendment Act: expands the permissible uses of DDOE’s Pesticide Registration Fund to cover the agency’s chemical, tank, land remediation, and wildlife protection programs.

Subtitle F. Distributed Generation Amendment Act: eliminates the prohibition on large or distant solar facilities from fulfilling Tier 1 renewable energy portfolio standard requirements; authorizes solar systems stronger than five megawatts that are located on District-owned property to meet the solar carve-out of the renewable energy portfolio standards.

Subtitle G. Clean and Affordable Energy Amendment Act: provides that contracts for the Sustainable Energy Utility (“SEU”) be multi-year contracts of not less than four years; provides authorization for no-year appropriations for the Sustainable Energy Trust Fund; authorizes the use of the Renewable Energy Development Fund to supplement programs supporting the creation of new solar energy sources through the SEU.

Subtitle H. Athletic Field Permit Coordination Committee Amendment Act: requires the Department of Parks and Recreation (“DPR”) to establish a committee to advise DPR on how to develop a collaborative permitting system for athletic fields located in the District; requires the committee to report to the Council, Mayor, and public.

Subtitle I. Competitive Grants Act: provides for a number of competitive grants to be issued by various agencies for various purposes, and a noncompetitive grant to improve the facilities and operations of the Animal Care and Control Agency.

TITLE VII. FINANCE AND REVENUE

Subtitle A. Subject to Appropriations Amendment Act: repeals the subject-to-funding provisions for a number of acts to reflect the fact that they are currently funded or will be funded in the budget and financial plan pursuant to the Fiscal Year 2015 Budget Request Act of 2014:

- Law 20-89, the Earned Sick and Safe Leave Amendment Act of 2013
- Law 20-91, the Minimum Wage Amendment Act of 2013
- Act 20-307, the Small and Certified Business Enterprise Development and Assistance Amendment Act of 2014
- Law 20-87, the Fair Student Funding and School-Based Budgeting Amendment Act of 2013
- Law 20-48, the Smoking Restriction Amendment Act of 2013
- Law 18-289, the Wildlife Protection Act of 2010
- Bill 20-324, the Traffic Adjudication Amendment Act of 2014 (passed by the Council on May 6, 2014; currently undergoing Mayoral review)

Subtitle B. Tax Revision Commission Implementation Amendment Act: enacts comprehensive tax reform for the District.⁴ The intent of the subtitle, which is fully funded in the FY 2015 budget and financial plan, is to accomplish the following:

The following tax changes will become effective January 1, 2015:

Individual Income Taxes

1. Further reducing⁵ the rate on the new individual income tax middle bracket of \$40,000 - \$60,000 to 7.0%
2. Expand the local EITC to single workers
3. Raise the standard deduction to \$5,200 for singles, \$8,350 for married residents
4. Eliminate certain tax expenditures⁶
5. Phase out the personal exemption by 2% for each \$2,500 above \$150,000, with a complete phase out at \$275,000

Sales and Use Taxes

6. Add a line to capture the use tax on the personal income tax return
7. Broaden the general sales tax to certain services⁷
8. Unify taxation on tobacco products⁸

Business Taxes⁹

9. Exempt passive investment vehicles from Unincorporated Business Franchise Tax
10. Reduce the Unincorporated and Incorporated Business Franchise Tax to 9.4%
11. Change the franchise tax apportionment method to a single weighted sales formula

In addition to the tax relief granted in 2015, the following tax relief will be effective January 1, 2016:

Individual Income Taxes

1. Further reduce the rate on the new individual income tax middle bracket of \$40,000 - \$60,000 from 7.0% to 6.5%
2. Reduce the individual income tax rate to 8.75% for those earning between \$350,000 and \$1M per year. The tax rate will remain at 8.95% for those earning over \$1M per year.

⁴ This subtitle is particularly complex, and the Committee expects that it will require further review and editing by the Office of the General Counsel by 2nd reading to ensure that it properly implements the Council's intent.

⁵ The Mayor's proposed FY 2015 Budget and Financial Plan created the new individual income tax bracket at a rate of 7.5%. The Council's plan further reduces that bracket to 7.0% in 2015.

⁶ The Commission recommended eliminating the DC Homebuyer Credit, the Low Income Credit, the Long Term Care Insurance Credit and the Government Pension Exclusion.

⁷ The Commission recommended expanding the sales tax to water consumption for home, storage of household goods/mini storage, carpet and upholstery cleaning, health clubs and tanning studios, car washes, and bowling alleys and billiard parlors.

⁸ The Council is adopting this proposal, which was initially recommended in the Mayor's proposed FY 2015 Budget and Financial Plan.

⁹ The Council is adopting these proposals, which were initially recommended in the Mayor's proposed FY 2015 Budget and Financial Plan..

Business Taxes

3. Further Reduce Unincorporated and Incorporated Business Franchise Tax to 9%

Estate Tax

4. Raise threshold from \$1M to \$2M

In addition to the tax relief granted in 2015 and 2016, the following tax relief will be effective January 1, 2017:

Individual Income Taxes

1. Further raise the standard deduction to \$6,100 for single residents and \$12,200 for married residents to conform to the federal level
2. Increase the personal exemption to \$2,200

In addition to the tax relief granted in 2015, 2016 and 2017, the following tax relief will be effective January 1, 2018:

Individual Income Taxes

1. Further increase the personal exemption to \$3,200

Business Taxes

2. Further reduce the Unincorporated and Incorporated Business Franchise Tax from 9.0% to 8.75%

Estate Tax

3. Further raise threshold from \$2M to \$5.25M to conform to the federal level

In addition to the tax relief granted in 2015, 2016, 2017 and 2018, the following tax relief will be effective January 1, 2019:

Individual Income Tax

1. Increase the personal exemption to \$4,200 to conform to the federal level

Unincorporated and Incorporated Business Franchise Tax

2. Further reduce the Unincorporated and Incorporated Business Franchise Tax from 8.5% to 8.25%

Subtitle C. The Urban Institute Real Property Tax Rebate Act: provides real property tax relief for the Urban Institute, in the form of a rebate.

Subtitle D. Industrial Revenue Bond Security Interest Instrument Recordation Tax Exemption Amendment Act: exempts from recordation tax a security interest instrument executed by a borrower in connection with a loan under the Industrial Revenue Bond Forward Commitment Program.

Subtitle E. Fiscal Year 2014 Budget Support Act Amendment Act: amends or repeals a number of provisions included in the FY 2014 BSA, including the repeal of the following: certain grant authority for the Deputy Mayor for Education in FY 2014, the dedication of excess school modernization funds to purchase the initial circulation at the school's library, a dedicated tax for the arts, and a dedicated tax for tobacco cessation.

Subtitle F. Senior Citizen Real Property Tax Relief Amendment Act: provides an expansion of the Schedule H income tax credit for senior renters over the age of 70, with an adjusted gross income of less than \$60,000 per year; establishes an interest-free deferral of certain real property taxes for low-income District residents 75 or older; clarifies that the deferral may not be claimed if the owner has more than 2 consecutive gaps of ownership where each gap shall not exceed 120 days.

Subtitle G. Whitman-Walker Tax Rebate Act: provides real property tax relief for the Whitman-Walker Clinic, in the form of a rebate.

Subtitle H. Alternative Fuel Vehicle and Infrastructure Installation Through Tax Incentives Act: establishes income tax credits for the conversion of vehicles to run on alternative fuels and for the installation of alternative fuel infrastructure.

Subtitle I. Real Property Tax Calculated Rate Clarity Act: clarifies the application of the tax rate for commercial property and shifts the deadline for the release of the calculated rate from September 15 to January 5.

Subtitle J. Carver 2000 Senior Mansion Real Property Tax Abatement: removes the 16-year sunset provision that currently applies to the real property tax abatement for the Carver 2000 Senior Mansion.

Subtitle K. Residential Real Property Equity and Transparency Revised Amendment Act: amends the residential tax lien/tax sale statute to provide a number of protections for residents who fall behind on their real property taxes.

Subtitle L. Kelsey Gardens Redevelopment Act: clarifies the application of the Kelsey Gardens real property tax abatement.

Subtitle M. Underpayment of Estimated Tax Act: reclassifies underpayments of estimate income or franchise tax liability as “interest” instead of “penalties,” allowing the taxpayer to deduct from their federal return this interest amount.

Subtitle N. Tax Transparency and Effectiveness Act: mandates that the CFO review all locally adopted tax expenditures on a 5-year cycle and publish annual reports analyzing the expenditures.

Subtitle O. Low-Income Housing Tax Credit Act: establishes a local version of the federal low-income housing tax credit (“LIHTC”), to promote the development of affordable housing.

Subtitle P. IPW Fund and WMATA Momentum Support Fund Establishment Act: establishes two special funds to receive revenue from a potential settlement regarding unpaid hotel-room taxes; establishes purposes for the funds.

Subtitle Q. LAHDO Estoppels Amendment Act: authorizes the Department of Housing and Community Development to issue retroactive certifications for lessees taking advantage of the Land Acquisition for Housing Development Opportunities Program to receive exemptions from the possessory interest tax.

Subtitle R. Qualified High Technology Clarification Act: clarify that the Qualified High Technology Credit is available only for Qualified High Technology companies, not companies who simply use high tech equipment.

Subtitle S. Emerging Business District Demonstration Act: makes the Howard Town Center Real Property Tax Abatement Act of 2012 subject to funding; requires the Mayor to authorize the creation of Emerging Business District Demonstration Projects to support BIDs with budgets under \$1 million, as well as eligible 501(c)(3) and 501(c)(6) organizations; establishes a grant program to assist the Projects; requires the Mayor to issue regulations to establish the criteria for the grants.

Subtitle T. Southwest Waterfront Project Clarification Amendment Act: redefines the term “available sales tax revenues” for purposes of the Southwest Waterfront Bond Financing Act of 2008.

Subtitle U. Non-Departmental Fund Administration Act: sets forth policy for use of certain funds allocated to the Non-Departmental paper agency in FY 2015; specifically, requires that an amount of up to \$1 million be used to match private donations that the University of the District of Columbia may raise for the purpose of meeting accreditation standards, and that an amount of up to \$500,000 may be used by the City Administrator to lead a working group to plan for the implementation of the Transportation Reorganization Act of 2014.

Subtitle V. United House of Prayer for All People Equitable Real Property Tax Relief Act of 2014: provides a real property tax rebate for certain property owned by the United House of Prayer for All People.

Subtitle W. Meridian International Center Real Property Tax Exemption Act: provides a real property tax exemption and refund for the Meridian International Center.

Subtitle X. Scottish Rite Temple Real Property Tax Act: provides a real property tax exemption for certain real property 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 or its subsidiary, the House of the Temple Historic Preservation Foundation, Inc.

Subtitle Y. American Academy of Achievement Real Property Tax Exemption Act: provides a real property tax exemption and refund for certain property owned by the American Academy of Achievement.

TITLE VIII. CAPITAL BUDGET

Subtitle A. Department of Transportation Capital Budget Allocation Authority Act: authorizes the Director of DDOT to submit requests to the OCFO to reallocate funds certain sub-projects to the applicable capital project created in fiscal year 2012 or later funded from the District of Columbia Highway Trust Fund.

Subtitle B. Department of Transportation Capital Project Review and Reconciliation Amendment Act: requires that funds made available from the closure of certain capital projects be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund 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 Reallocation Approval Act: authorizes the reallocation of roughly \$84.5 million in general obligation bond proceeds among existing capital projects to maximize the use of borrowed debt and reduce the District's borrowing costs.

Subtitle D. H Street Streetcar Priority Act: requires the Mayor to include the full replacement of the H Street Bridge in the Regional Transportation Improvement Program, to be completed before fiscal year 2018; requires the prioritization of the Bridge within DDOT capital project SA306C, H Street/Benning/K Street Line.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

Subtitle A. Local and Special Purpose Revenue Fund Amendment Act: repeals certain special funds and makes other lapsing.

Subtitle B. Local and Special Purpose Revenue Fund Transfer Act: orders the transfer of roughly \$51.8 million of fund balance from certain special funds in FY 2014, to be recognized as local funds revenue in FY 2015.

TITLE X. COUNCIL REPORTING REQUIREMENTS: establishes procedures for reports required to be submitted to the Council; imposes a number of reporting requirements on various agencies.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE: sets forth the applicability provision, fiscal impact, and effective date of the act.

IX. COMMITTEE ACTION

[to be added]

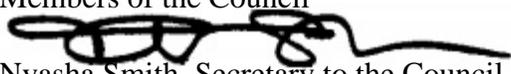
X. ATTACHMENTS

1. Bill 20-750 as introduced.
2. Fiscal impact statement for Bill 20-750.
3. Legal sufficiency determination.
4. Committee print of Bill 20-750.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : April 08, 2014

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, April 3, 2014. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2015 Budget Support Act of 2014", B20-0750

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel
Budget Director
Legislative Services



2014 APR -3 PM 4:58
OFFICE OF THE
SECRETARY

VINCENT C. GRAY
MAYOR

APR - 3 2014

The Honorable Phil Mendelson
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I submit to you the District of Columbia Fiscal Year 2015 Budget and Financial Plan, entitled "Keeping the Promises." Enclosed you will find the "Fiscal Year 2015 Budget Support Act of 2014."

This proposal is the District of Columbia's nineteenth consecutive balanced budget. As you know, the District's economy is experiencing a continuing economic recovery, with more than 34,000 private sector jobs created over the past three years and an unemployment rate that has decreased by three-and-a-half-points -- the lowest unemployment rate we've seen in more than five years. These results have been achieved while still maintaining fiscal responsibility. During the last three years we have insisted on structurally balanced budgets, in which we spent only what we brought in, even when it meant making tough political choices. As a result, we've posted three straight years of budget surpluses and have rebuilt the District's Fund Balance to the highest level in its history -- \$1.75 billion.

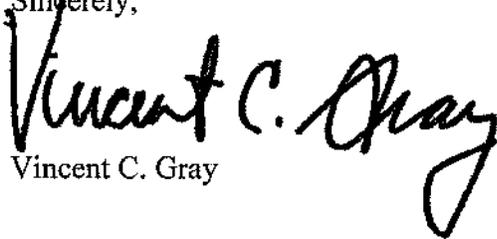
To support our growing population and continue building a more prosperous, equitable, safe, sustainable city for all, my proposed budget continues to provide investment to build on our economic successes while at the same time harnessing our increasing prosperity to build a stronger, more inclusive city for everyone. The document also includes hard choices that were required to build a fiscally sound budget and financial plan. Our intention was to strike a balance to maintain government services while meeting our economic goals. In this spirit, we are proposing enhancements that include:

- \$100 million in new funding for affordable housing initiatives between Fiscal Years 2014 and 2015;

- \$116 million in additional funding for public education to tackle the unacceptable achievement gap that persists despite the fact that District students are improving faster than those from any other state in the nation;
- \$300 million for a new East End Medical Center hospital;
- \$409 million for public schools modernization in Fiscal Year 2015; and
- \$475 million for streetcars.

This budget proposal is balanced, structurally sound, and was formulated in a spirit of fiscal discipline. I look forward to the Council's review of this proposal, and to working together to finalize and execute our budget for Fiscal Year 2015.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is written in a cursive style with a large, sweeping "V" and a long, trailing "y".

Vincent C. Gray

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on _____.

To limit payment from the categories of bonus and special pay; to amend the District of Columbia Comprehensive Merit Personnel Act to provide that the transfer of attorneys, staff employees, personal property, full-time equivalent positions authority, assets, records, and unexpended balances of appropriations, allocations, and other funds from the Office of the Attorney General to subordinate agencies, pursuant to the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, shall not take place until 2018; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify the right of the District of Columbia Government to: demand a report of earnings from a claimant; clarify the right to a schedule award in the event of a permanent disability; and to eliminate and/or clarify the right to receive spousal death benefits after remarrying or entering a domestic partnership after the age of sixty; to enhance support for certain technology services of the District of Columbia government and facilitate economic development and technology access in the District of Columbia by increasing flexibility in current law that provides for a dedicated account to collect technology service fees; to amend section 47-392.02(j-2) of the District of Columbia Official Code to amend the uses of the Cash Flow Reserve account; to provide for maternity and paternity leave; to amend, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish a Family Bonding Program for District government employees; to establish as a lapsing fund the District of Columbia Surplus Property Sales Revolving Fund; to amend Chapter 1 of Title 25 of the District of Columbia Official Code to allow for the on-site sale and consumption of beer brewed by a brewery; to amend Chapter 3 of Title 25 of the District of Columbia Official Code to attract new full-service grocery stores to Ward 4; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the cap on compensation of members of the Alcoholic Beverage Control Board from \$15,000 to \$18,000; to amend the Consumer Procedures and Protections Act of to allow the Department of Consumer and Regulatory Affairs to issue civil infractions for violations and to prohibit consumer protection violations using electronic or social media; to establish a simplified fee structure specific to solar permitting; to amend Section 34-912(b) of the District of Columbia Official Code; to amend the Unemployment Insurance

1 Benefits Modernization and Federal Conformity Amendments Act of 2014 amend the
2 District of Columbia Unemployment Compensation Act to comply with the federal
3 conformity requirements, by expanding the mandated electronic filing requirement to
4 employers with 5 or more employees; by making prisoners ineligible for benefits without
5 regard to the place of incarceration; by assigning the appropriate penalty rate to delinquent
6 accounts; by properly assigning rates based on transfer and actual experience; by
7 forbidding the removal of charges associated with overpaid claims; by denying
8 unemployment benefits to claimants that are physically located outside of the United
9 States; by extending the period of disqualification for unemployment insurance benefits
10 after a finding of fraud as a part of the federal Improper Payments Elimination and
11 Recovery Act; by properly defining normal weekly hours of work; by properly expanding
12 the eligibility requirements for a shared work plan; and by properly charging employer
13 accounts for shared work benefits in a manner proscribed by the Department of Labor; to
14 amend the H Street Retail Priority Area Incentive Act of 2010 to include it as part of the
15 Great Streets program; to amend the local rent supplement program; to establish a
16 segregated, non-lapsing fund the Film DC Economic Incentive Grant Fund and program;
17 to authorize the Chief of Police to receive reimbursement of fees for providing police
18 escorts and other law enforcement services that are necessary to protect public health and
19 safety; to authorize the State Safety Oversight office, as required by federal law, within
20 the Fire and Emergency Medical Services Department to conduct oversight and
21 investigations, take enforcement action, provide reports, and take other related action to
22 ensure the safe operation of the D.C. Streetcar; to approve changes to the uniform per
23 student funding formula; to amend D.C. Official Code §38-1804.01 to addresses Public
24 School's responsibilities related to local special education expenditures; to amend D.C.
25 Official Code §38-2901 to strike the current statutory definition of alternative program
26 and establish new eligibility criteria for receiving funding as an alternative education
27 school or program; to amend the Balanced Budget Downpayment Act II to increase the
28 percentage of funds paid by charter schools to the DC Public Charter School Board; to
29 amend the District of Columbia School Reform Act of 1995 to provide for three new
30 preferences in admission as follows: a child of a full-time employee of a public charter
31 school, a child with an individualized education program, and child who has been
32 committed to the custody of the District of Columbia within twelve months prior to
33 applying to a public charter school; to amend the District of Columbia Nonresident
34 Tuition Act of 1960 to provide for a residency exemption for up to three years for a
35 student who was formerly a ward of the state and who resides with a person in another
36 jurisdiction who provides care, custody and substantial support of the child; to establish a
37 Common Lottery Board to advise the Deputy Mayor for Education on the development,
38 implementation and continued improvement of the common lottery system for public
39 schools within the District of Columbia; to amend the Department on Developmental
40 Disabilities Establishment Act of 2006; to amend the Department of Health Functions
41 Clarification Act of 2001 by authorizing the Department of Health to award grants for
42 HIV/AIDS, prevention services and programs, to award grants for clinical nutritional
43 home delivery services for individuals living with cancer and other life threatening
44 diseases, ambulatory health services, poison control hotline and prevention education
45 services, operations and primary care services for school-based health clinics, and a teen
46 pregnancy prevention program in Fiscal Year 2015, to establish a fund to receive fees for
47 the prevention and treatment of communicable and chronic diseases, and to authorize the
48 Director of the Department of Health to establish fees for the prevention and treatment of
49 communicable and chronic diseases and seek reimbursement from third-party payors; to

1 amend D.C. Official Code § 1-307.02(a); to transfer the operation and administration of
2 the Tobacco Control Program within the Department of Behavioral Health to the
3 Department of Health; to amend the Department of Mental Health Enterprise Fund
4 Establishment Amendment Act of 2012; to amend the Fiscal Year 2010 Budget Support
5 Act of 2009 to increase the minimum annual benefit for Low Income Home Energy
6 Assistance Program Heat and Eat program participants from \$1 to \$20.01 to comply with
7 the revised eligibility requirements contained in section 4006 of the federal Agricultural
8 Act of 2014; to amend the definition of health service in Section 2 of the Health Services
9 Planning Program Re-establishment Act of 1996 to remove outpatient alcohol and drug
10 abuse treatment providers that are now regulated by the Department of Behavioral Health;
11 to amend District of Columbia Public Assistance Act of 1982 to reestablish the automatic
12 cost-of-living adjustments to the Temporary Assistance for Needy Families payments; to
13 amend the District of Columbia Public Space Rental Act to clarify that the Chief Financial
14 Officer is responsible for the collection of rent associated with vaults and the issuance of
15 refunds, to shift the date the vault bill is due to September 15 each year, and to designate
16 the condominium association as the recipient of vault bills related to condominiums;
17 amend the District of Columbia Public Space Rental Act to set the sidewalk café rental
18 period at a year, adjust the fees for enclosed and unenclosed sidewalk cafes and authorize
19 future adjustments of such fees, to increase the maximum fine for violating a section of
20 the District of Columbia Public Space Rental Act, and to authorize the Mayor to set public
21 space fees, including the sidewalk café fee and the vault fee; to amend the Department of
22 Transportation Establishment Act of 2002 to allow DDOT to enter into agreements for the
23 private sponsorship of District Department of Transportation facilities and equipment and
24 to more clearly designate the fund into which proceeds related to advertisements on
25 bicycle sharing facilities or bicycle sharing bicycles shall be deposited; to amend the
26 Department of Transportation Establishment Act of 2002 to allow DDOT to enter lands
27 where proposed highways, streetcar line, or other transportation project or facility may run
28 for the purpose of preparing surveys and other documents required by the District Rights
29 of Way Policy and Procedure Manual; to amend the Department of Transportation
30 Establishment Act of 2002 to authorize the District Department of Transportation to create
31 a managed lane system; to amend the Department of Transportation Establishment Act of
32 2002, the District Department of Transportation DC Streetcar Amendment Act of 2012,
33 the Procurement Practices Reform Act of 2010, and section 47-392.02 of the District of
34 Columbia Official Code to enable the District Department of Transportation to contract
35 for the design, build, operation, and maintenance of an integrated premium transit system;
36 to amend the uses of the Pesticide Product Registration Fund; to repeal the subject to
37 appropriations clauses of legislation funded in the fiscal year 2015 budget; to amend,
38 Chapter 10 of Title 47 of the District of Columbia Official Code to repeal the ten year
39 (2010-2020) \$15 million real property tax abatement afforded to The Urban Institute with
40 respect to Lot 840 in Square 673, and to provide a real property tax rebate to the Urban
41 Institute; to amend the District of Columbia Deed Recordation Tax Act to provide an
42 exemption from deed recordation taxes for security interest instruments issued in
43 connection with the District of Columbia Industrial Revenue Bond Program; to amend
44 section 47-863 of the District of Columbia Official Code to provide an exemption of real
45 property taxes for District domiciled residents who have owned a residence in the District
46 for at least 20 consecutive years immediately preceding the effective tax year, provided
47 the resident is 70 years of age or older, has an annual household adjusted gross income of
48 less than \$60,000 and less than \$12,500 of household interest and dividend income, and
49 owns the residence receiving the exemption; to provide a tax abatement to Whitman

1 Walker; to amend Chapter 18 of Title 47 to provide tax credits to individuals,
2 corporations, and unincorporated businesses for the conversion of petroleum diesel or
3 petroleum derived gasoline into alternative fuel vehicles; to amend Chapter 18 of Title 47
4 to provide tax credits to individuals, corporations, and unincorporated businesses for the
5 construction of alternative fuel infrastructure installation accessible to the public; to
6 amend the calculated rate for clarity; to amend Title 47 of the District Columbia Official
7 Code to extend tax exemptions and waive any related fees, for the Carver 2000 Low-
8 Income and Senior Housing Project located in various lots within squares 5140, 5190, and
9 5348; to amend Title 47 of the District of Columbia Official Code to establish the Office
10 of the Real Property Tax Ombudsman, exclude from real property tax sales improved
11 Class I properties on which the tax owed is less than \$2,500, modify property tax
12 delinquency and sale procedures, expand pre-sale notice requirements, require that copies
13 of delinquency notices be provided to the Real Property Tax Ombudsman, permit
14 homeowners to apply for a forbearance authorization from the Mayor to avoid tax sales,
15 expand post-sale notice to homeowners to minimize costs associated with redemption,
16 provide equitable limitations on tax sale purchaser expenses that a homeowner must pay
17 to redeem a home, and to provide that homeowners be allowed to retain the equity in the
18 property in the event of a failure to redeem; to amend the District of Columbia
19 Government Comprehensive Merit Personnel Act of 1978 to make a conforming
20 amendment; to amend the Business Improvement Districts Act of 1996 to clarify that the
21 only simple interest is imposed; to amend Act To establish a code of law for the District
22 of Columbia to require an owner of real property to notify the Office of Tax and Revenue
23 of a name or address change within 30 days and to record a name change with the
24 Recorder of Deeds; to amend the District of Columbia Deed Recordation Tax Act to
25 exempt from recordation tax a deed on property transferred to a named beneficiary of a
26 revocable transfer on death deed under the Uniform Real Property Transfer of Death Act
27 of 2012 upon the death of the grantor; and to amend An Act To provide for the abatement
28 of nuisances in the District of Columbia by the Commissioners of said District, and for
29 other purposes to broaden the definition of owner; to amend the Department of
30 Transportation Establishment Act of 2002 to allow DDOT to re-allocate funds from any
31 Related Project to the applicable capital project funded from the District of Columbia
32 Highway Trust Fund; to re-allocate capital funding; to provide a contingent revenue
33 priority list; and to repeal or make lapsing segregated local, dedicated, and o-type
34 accounts held outside the General Fund.

35
36 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
37 act may be cited as the "Fiscal Year 2015 Budget Support Act of 2014".

38 **TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

39 **SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION**

40 Sec. 101. Short title.

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

42 Sec. 102. Bonus and special pay limitations.

1 (a) For fiscal year 2015, no funds shall be used to support the categories of special awards
2 pay or bonus pay; provided, that funds may be used to pay:

- 3 (1) Retirement awards;
- 4 (2) Hiring bonuses for difficult-to-fill positions;
- 5 (3) Additional income allowances for difficult-to-fill positions;
- 6 (4) Agency awards or bonuses funded by private grants or donations;
- 7 (5) Employee awards pursuant to D.C. Code § 1-619.01;
- 8 (6) Safe driving awards;
- 9 (7) Gainsharing incentives in the Department of Public Works;
- 10 (8) Suggestion/invention awards;
- 11 (9) Quality Steps;
- 12 (10) Salary incentives negotiated through collective bargaining; or
- 13 (11) Any other award/bonus required by an existing contract or collective

14 bargaining agreement that was entered into prior to the effective date of this subtitle.

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

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

23 (d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney
24 General shall pay employees of the Office of the Attorney General all performance allowance

1 payments to which they are entitled or may become entitled under any approved compensation
2 agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the
3 American Federation of Government Employees, Local 1403, AFL-CIO for the period from
4 October 1, 2013 through September 30, 2017. These payments are necessary to satisfy the
5 requirements of section 857 of the District of Columbia Comprehensive Merit Personnel Act of
6 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.57), which requires
7 the Attorney General’s performance management system to link pay to performance.

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

10 Sec. 111. Short title.

11 This subtitle may be cited as the “Elected Attorney General Implementation and Legal
12 Service Establishment Technical Amendment Act of 2014”.

13 Sec. 112. The District of Columbia Government Comprehensive Merit Personnel Act of
14 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
15 amended as follows:

16 (a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the word
17 “2014” and inserting the word “2018” in its place.

18 (b) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the word “2014”
19 and inserting the word “2018” in its place.

20 (c) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the word “2014”
21 wherever it appears in section 864 and inserting the word “2018” in its place.

22 Sec. 113. Section 401(a) of the Elected Attorney General Implementation and Legal
23 Service Establishment Amendment Act of 2013, passed on 2nd reading on October 1, 2013
24 (Engrossed version of Bill 20-134) is amended by striking the word “2014” and inserting the

1 word “2018” in its place.

2 Sec. 114. Applicability.

3 (a) Section 112 of this act shall apply as of October 1, 2018.

4 (b) Section 113 of this act shall apply as of the effective date of the Elected Attorney
5 General Implementation and Legal Service Amendment Act of 2013, passed on 2nd reading on
6 October 1, 2013 (Engrossed version of Bill 20-134).

7 **SUBTITLE C. PUBLIC SECTOR WORKERS’ COMPENSATION BUDGET**

8 **SAVINGS**

9 Sec. 121. Short title.

10 This subtitle may be cited as the “Public Sector Workers’ Compensation Budget Savings
11 Act of 2014”.

12 Sec. 122. The District of Columbia Government Comprehensive Merit Personnel Act of
13 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01, *et. seq.*) is
14 amended as follows:

15 (a) The table of contents is amended by adding a new section designation after “Sec.
16 2306a. PERIOD OF DISABILITY PAYMENTS” to read as follows:

17 “Sec. 2306b. REPORT OF EARNINGS.”

18 (b) Title XXIII is amended as follows:

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

20 (2) A new Section 2306b (D.C. Official Code § 1-623.06b) is added to read as
21 follows:

22 “Sec. 2306b. Report of Earnings.

23 “(a) The Mayor shall require each employee receiving benefits under this
24 subchapter to report his or her earnings from employment or self-employment by affidavit,

1 including by providing copies of tax documents and authorizing the Mayor to obtain copies of tax
2 documents, within 30 days of a written request for a report of earnings.

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

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

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

8 “(c) Workers' compensation forfeited under this section, if already paid, may be
9 recovered by a deduction from future workers' compensation payments owed to the employee or
10 otherwise recovered under § 1-623.29.

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

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

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

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

1 “(3) In addition to compensation for temporary total or temporary partial
2 disability, provided that:

3 “(A) A claimant who has received compensation for
4 temporary total or temporary partial disability under this subchapter shall be eligible for
5 compensation payable under this section only after compensation for the temporary total or
6 temporary partial disability has ceased;

7 “(B) A claimant shall not receive any further compensation
8 for temporary total or temporary partial disability after receiving compensation under this section;
9 and

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

14 (B) Subsection (b) is repealed.

15 (3) Section 2333(b)(1)(A) (D.C. Official Code § 1-623.33(b)(1)(A)) is
16 amended by striking the phrase “before reaching age 60”.

17 **SUBTITLE D. FLEXIBILITY IN PROVISION OF TECHNOLOGY SERVICES**

18 Sec. 131. Short title.

19 This subtitle may be cited as the “Technology Services Support Amendment Act of
20 2014”.

21 Sec. 132. Section 1003(a) of the Technology Services Support Act of 2007, effective
22 September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1432(a)) is amended as follows:

23 (a) Strike the phrase “health care or education”.

24 (b) Strike the phrase “and any open-access” and insert the phrase “any open-access” in its

1 place.

2 (c) Strike the phrase “neighborhoods in the District of Columbia” and insert the phrase
3 “neighborhoods in the District, and entities designated by the Mayor as necessary to support
4 economic development initiatives of the District Government” in its place.

5 **SUBTITLE E. PAY-AS-YOU-GO AND RESERVE ACCOUNT TECHNICAL**
6 **AMENDMENTS**

7 Sec. 141. Short title

8 This subtitle may be cited as the “Pay-as-you-go and Reserve Accounts Amendment Act
9 of 2014”.

10 Sec. 142. Section 47-392.02 of the District of Columbia Official Code is amended as
11 follows:

12 (a) Subsection (f)(2) is amended to read as follows:

13 “(2) Beginning with the fiscal year 2016 budget and each subsequent year, the annual
14 proposed budget and financial plan submitted to the Council and the approved budget and
15 financial plan submitted to the Congress of the United States shall include a Pay-as-you-go
16 Capital Account.”.

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

18 “(2) The Fiscal Stabilization Reserve Account may be used by the Mayor for:

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

22 “(B) Providing budget authority and funding for locally approved expenditures
23 during a federal government shutdown; provided that any amounts used must be replenished
24 immediately at the conclusion of the federal government shutdown.”.

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

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

3 “(2) The Cash Flow Reserve Account may be used by the Chief Financial
4 Officer to cover:

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

7 “(B) Providing budget authority and funding for locally approved
8 expenditures during a federal government shutdown; provided that any amounts used must be
9 replenished immediately at the conclusion of the federal government shutdown.”.

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

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

16 “(A) Fifty percent shall be deposited in the Housing Production
17 Trust Fund;

18 “(B) Twenty five percent shall be deposited in the District of
19 Columbia Retiree Health Benefits Fund, up to an actuarially certified funding ratio of 100% ; and

20 “(C) Twenty five percent, plus any funds from subparagraph (B) of
21 this paragraph that are not needed to maintain the 100% funding ratio, shall be reserved for Pay-
22 as-you-go capital projects.”.

23 **SUBTITLE F. FAMILY BONDING AMENDMENT**

24 Sec. 151. Short title

1 This subtitle may be cited as the “Family Bonding Leave Program Amendment Act of
2 2014”.

3 Sec. 152. The District of Columbia Government Comprehensive Merit Personnel Act of
4 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
5 amended by adding a new section 1203c to read as follows:

6 “Sec. 1203c. Family bonding leave.

7 “(a) An eligible employee shall receive leave with pay of not more than 6 work weeks
8 within a 12-month period. Employees shall be eligible for this leave based on the following
9 qualifying events:

10 “(1) The birth of a child of the employee;

11 “(2) The legal placement of a child with the employee (such as through adoption,
12 guardianship, or foster care); or

13 “(3) The placement of a child with the employee for whom the employee
14 permanently assumes and discharges parental responsibilities.

15 “(b) Leave authorized by this section:

16 “(1) Must be exercised by an eligible employee within a 12-month period
17 following the qualifying event;

18 “(2) May be used in no less than one work week increments, either consecutively
19 or intermittently; and

20 “(3) If 2 eligible employees share a single qualifying event, the employees shall
21 receive no more than a total of 8 work weeks of leave collectively, with no one employee using
22 more than 6 work weeks within a 12-month period.

23 “(c) No employee shall receive more than 30 work weeks of leave provided under this
24 section.

1 “(d) If an employee using leave under this section is serving in a probationary capacity,
2 the employee’s probationary period shall be extended by the duration of the leave used.

3 “(e) An eligible employee using leave under this section shall enjoy the same job
4 protections afforded to an employee using leave under the District of Columbia Family and
5 Medical Leave Act, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et*
6 *seq.*).

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

10 “(g) Each agency shall maintain an accounting of leave used under this section and any
11 records related to its use.

12 “(h) For the purposes of this section, the term:

13 (1) “Child” means an individual under 19 years of age.

14 (2) “Eligible employee” means any District government employee, except those in
15 temporary or intermittent appointments.

16 “(i) The Mayor shall issue rules to implement this section to promote bonding between the
17 eligible employee and the child, including rules to ensure the privacy of participating employees,
18 to establish eligibility criteria and verification, and to set appropriate limits to the family leave
19 benefit.

20 **SUBTITLE G. OFFICE OF CONTRACTING AND PROCUREMENT SURPLUS**
21 **PROPERTY FUND ESTABLISHMENT**

22 Sec. 161. Short title.

23 This subtitle may be cited as the “Office of Contracting and Procurement Surplus Personal
24 Property Sales Fund Establishment Act of 2014”.

1 Sec. 162. District of Columbia Surplus Personal Property Sales Revolving Fund.

2 (a) There is established as a lapsing fund the District of Columbia Surplus Personal
3 Property Sales Revolving Fund (“Surplus Personal Property Fund”), which shall be used to pay
4 the cost of the surplus personal property sales contract.

5 (b) The Chief Procurement Officer (“CPO”) may collect and deposit in the Surplus
6 Personal Property Fund such amounts necessary to pay for the cost of the surplus personal
7 property sales contract from the proceeds of the sale of surplus goods (“funds”).

8 (c) Proceeds from the sale of surplus personal property after the funds have been
9 collected by the CPO shall be deposited into the unrestricted fund balance of the General Fund of
10 the District of Columbia.

11 (d) All funds received but not expended in a fiscal year shall revert to the unrestricted
12 fund balance of the General Fund of the District of Columbia.

13 **SUBTITLE H. DISTRICT OF COLUMBIA FOOD PROVISION AMENDMENT**

14 Sec. 171. Short title.

15 This subtitle may be cited as the “District of Columbia Food Provision Amendment Act of
16 2014”.

17 Sec. 172. Purchase and Distribution of Food By the Department of Parks and Recreation.

18 (a) The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C.
19 Official Code § 10-301 *et seq.*), is amended by adding a new section 6a to read as follows:

20 “Sec. 6a. Food and refreshments.

21 “Notwithstanding any other provision of law or other requirement, the Department may
22 use appropriated funding, including funds in the Recreation Enterprise Fund, to provide food,
23 snacks, meals, refreshments, non-alcoholic beverages, and entertainment to the general public,
24 program participants, and District government employees in connection with sporting,

1 educational, or other recreational programs or events the Department sponsors.”.

2 (b) Section 4(b)(2) is repealed.

3 Sec. 173. Provision of Food to Members of Boards and Commissions.

4 (a) Section 1108 of the District of Columbia Government Comprehensive Merit
5 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §
6 1-611.08) is amended by adding a new subsection (d-1) to read as follows:

7 “(d-1) Notwithstanding any other law, the District may use appropriated funds to provide
8 meals and refreshments to members of boards and commissions. Meals and refreshments may be
9 provided during meetings in which members are actively engaged in public business for
10 significant periods of time, and where the provision of food would contribute to the effective
11 conduct of the meeting and the accomplishment of the meeting’s objectives. The Mayor shall
12 issue rules to specify the types of boards and commissions to which food may be provided, the
13 nature of the meetings to which this subsection shall apply, any advance approvals that may be
14 required, the maximum amounts that may be spent, and any other applicable restrictions.”.

15 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

16 **SUBTITLE A. MANUFACTURER TASTING PERMIT AMENDMENT**

17 Sec 201. Short Title

18 This subtitle may be cited as the "Manufacturer Tasting Permit Amendment Act of 2014".

19 Sec. 202. Chapter 1 of Title 25 of the District of Columbia Official Code is amended as
20 follows:

21 (a) Section 25-110(a)(2)(B) is amended to read as follows:

22 “(B) The license shall authorize the licensee to sell the beer manufactured under
23 the license to (i) another licensee under this title for resale; (ii) to a dealer licensed under the laws
24 of any state or territory of the United States for resale; and (iii) to a consumer. Except as provided

1 in subparagraph (C), the licensee may sell beer to the consumer only in barrels, kegs, cans, and
2 sealed bottles, which shall not be opened after sale, or the contents consumed, on the premises
3 where sold.”.

4 (b) Section 25-110(a)(2) is amended to add new subparagraphs (C) and (D) to read as
5 follows:

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

9 The holder of an on-site sales and consumption permit shall only sell, serve, and permit the
10 consumption of beer brewed by the brewery and purchased by the customer between the hours of
11 1 p.m. and 9 p.m., 7 days a week. The minimum annual fee for an on-site sales and consumption
12 permit shall be \$1,000. The on-premises sales and consumption permit shall not obviate the
13 requirement of the holder of a manufacturer's license, class B, to obtain a tasting permit pursuant
14 to section 25-118, to be authorized to provide samples of beer to a customer at no cost.”

15 (D) A violation of subparagraph (C) shall constitute a primary tier violation.”.

16 **SUBTITLE B. WARD 4 FULL SERVICE GROCERY STORE AMENDMENT**

17 Sec 211. Short Title

18 This subtitle may be cited as the "Ward 4 Full Service Grocery Store Amendment Act of
19 2014"

20 Sec. 212. Chapter 3 of Title 25 of the District of Columbia Official Code is amended as
21 follows:

22 (a) Section 25-340.01(d) is amended to read as follows:

23 (d) An exception to the moratorium imposed by subsection (b) of this section
24 shall exist for an application for a Class B retailer's license for a full service grocery store or

1 substantially renovated full service grocery store with a certificate of occupancy issued after the
2 effective date of this Act.”.

3 **SUBTITLE C. ALCOHOLIC BEVERAGE CONTROL BOARD STIPEND**

4 **AMENDMENT**

5 Sec 221. Short Title

6 This subtitle may be cited as the "Alcoholic Beverage Control Board Stipend Amendment
7 Act of 2014".

8 Sec. 222. Section 1108(c)(2)(I) of the District of Columbia Government Comprehensive
9 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
10 611.08(c)(2)(I) is amended by striking the figure “\$15,000” and inserting the figure “\$18,000” in
11 its place.

12 **SUBTITLE D. CONSUMER PROCEDURES AND PROTECTIONS**

13 **ENFORCEMENT AMENDMENT**

14 Sec 231. Short Title

15 This subtitle may be cited as the “Consumer Procedures and Protections Enforcement
16 Amendment Act of 2014.”

17 Sec. 232. The Consumer Procedures and Protections Act (D.C. Law 1-76; D.C. Official
18 Code § 28-3901 *et seq.*) is amended as follows:

19 (a) Section 4(a) (D.C. Official Code § 28-3903(a)) is amended by adding a new paragraph
20 (17) to read as follows:

21 “(17) Impose civil fines, pursuant to the procedures established in the Department of
22 Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective July 16, 1985 (D.C.
23 Law 6-42; D.C. Official Code § 28-3901 *et seq.*), as alternative sanctions for any violation of the
24 provisions of this chapter or of any rules issued under the authority of this chapter. Any violation

1 of this chapter, or of any rule issued under the authority of this chapter, shall be a Class II
2 infraction pursuant to Title 16, Chapter 32 of the District of Columbia Municipal Regulations,
3 unless the violation is classified otherwise pursuant to rules issued by the Department.”.

4 (b) Section 5(m) (D.C. Official Code § 28-3904(m)) is amended to read as follows:

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

7 (c) Section 6(i)(3)(A) (D.C. Official Code § 28-3905(i)(3)(A)) is amended to read as
8 follows:

9 “(3)(A) Any person found to have executed a trade practice in violation of a law of the
10 District within the jurisdiction of the Department may be assessed and made liable for a civil
11 penalty of not exceeding \$1,000.00 for each failure to adhere to a provision of an order described
12 in subsection (f), (g), or (j) of this section, or a consent decree described in subsection (h) of this
13 section.”.

14 **SUBTITLE E. SOLAR PERMITTING FEES AMENDMENT**

15 Sec. 241. Short Title.

16 This subtitle may be cited as the “Solar Permitting Fees Amendment Act of 2014.”

17 Sec. 242. Chapter 101.1(a) of Title 12(K) of the District of Columbia Municipal
18 Regulations is amended by inserting a phrase between the fees for “sign” and “swimming pool”
19 to read as follows:

20	“Solar Photovoltaic	Less than 15 kilowatts	\$250 Residential;
21			<u>\$300 Commercial</u>
22		15 - 99 kilowatts	\$300 for first 15 kilowatts and
23			\$11.25 per additional
24			<u>kilowatt</u>
25		100 - 200 kilowatts	\$1,250 for the first 100
26			kilowatts and \$2.5 per

1		additional kilowatt
2	200 kilowatts or more	\$1,250 for the first 200
3		kilowatts and \$1 per
4		additional kilowatt
5	“Solar Thermal	Fewer than 10 panels \$250 Residential;
6		\$300 Commercial
7	10 - 24 panels	\$300 for first 10 panels and
8		\$25 per additional panel
9	25 - 49 panels	\$650 for the first 25 panels
10		and \$15 per additional panel
11	50 panels or more	\$1,010 for the first 50 panels
12		and \$10 per additional panel”

13 **SUBTITLE F. PUBLIC UTILITIES REIMBURSEMENT FEE AMENDMENT**

14 Sec. 251. Short title.

15 This subtitle may be cited as the “Public Utilities Reimbursement Fee Amendment Act of
16 2014”.

17 Sec. 252. Section 8 of An Act Making appropriations to provide for the expenses of the
18 government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred
19 and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code §
20 34-912) is amended as follows:

21 (a) Paragraph 42(b)(1),(2), and (3) (D.C. Official Code § 34-912(b)(1),(2), and (3)) are
22 amended to read as follows:

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

27 “(2) The amount of the reimbursement fee to be paid by each natural gas supplier,

1 electricity supplier, and telecommunications service provider but not the incumbent local
2 exchange carrier as defined in this title, that is authorized to provide service in the District, and
3 the formula through which such an amount shall be annually established, shall be determined by
4 the Public Service Commission.

5 “(3) The amount of the reimbursement fee to be paid by each public utility other
6 than the natural gas supplier, electricity supplier and telecommunications service provider,
7 subject to paragraph (2) of this subsection, shall be equal to the amounts appropriated, less the
8 amount to be reimbursed by the providers subject to paragraph (2) of this subsection, multiplied
9 by the fraction, as determined by the Mayor, represented by the revenues of the public utility
10 derived from utility operations in the District of Columbia that are regulated by the Public Service
11 Commission during the immediately preceding fiscal year (or other 12-month period as the
12 Mayor may designate), divided by the gross revenues of all public utilities from utility operations
13 in the District of Columbia during such period. The fee shall be paid by the public utilities during
14 such fiscal year to the Treasurer of the District of Columbia, at such time or times and in such
15 manner as the Mayor by regulation may require. If the total amount paid or obligated by the
16 Public Service Commission and the People's Counsel during such fiscal year pursuant to
17 appropriations for such fiscal year is less than the amounts appropriated by more than 5%, the
18 Mayor shall refund to or credit each public utility, natural gas supplier, electricity supplier and
19 telecommunications service provider, with a portion of the difference, rounded to the nearest
20 dollar, as equals the difference multiplied by the fraction, representing the gross revenues of the
21 public utility, natural gas supplier, electricity supplier or telecommunications service provider,
22 divided by the gross revenues of all public utilities, natural gas suppliers, electricity suppliers,
23 and telecommunications service providers.”.

24 (b) The refund or credit provisions of D.C. Code § 34-912 (b)(3) shall apply as of Fiscal

1 Year 2012, effective October 1, 2012.

2 **SUBTITLE G. UNEMPLOYMENT INSURANCE BENEFITS MODERNIZATION**
3 **AND FEDERAL CONFORMITY**

4 Sec. 261. Short title.

5 This subtitle may be cited as the “Unemployment Insurance Benefits Modernization and
6 Federal Conformity Amendments Act of 2014”.

7 Sec. 262. Section 4(b)(2) of the Unemployment Compensation Act, effective August 28,
8 1935 (49 Stat. 948; D.C. Official Code § 51-104(b)(2)) is amended by striking the current
9 paragraph (2) and replacing it with a new paragraph as follows:

10 “(2) Employers who employ 5 employees or more in a calendar quarter shall file
11 contribution and wage reports electronically in a method approved by the Director. Employers
12 who employ 5 employees or more in a calendar quarter shall register with DCNetworks and/or
13 the State Information Data Exchange Service (SIDES) to timely file contribution and wage
14 reports and timely respond to separation and wage requests electronically. Employers subject to
15 this provision who submit information in an untimely manner, including employers who fail to
16 utilize the electronic interfaces designed to expedite the processing of benefits claims and tax
17 information, shall be subject to the penalty and interest provisions of subsection (c) of this section
18 until such time as the report or other requested information is filed electronically or in a manner
19 approved by the Department.”

20 Sec. 263. Section 4 of the Unemployment Compensation Act, effective August 28, 1935
21 (49 Stat. 948; D.C. Official Code § 51-104) is amended by adding a new paragraph (q) as
22 follows:

23 “(1) If, on the computation date upon which an employer’s base rate is to be computed as
24 provided in §51-103(c)(4)(B), there is a delinquent report, the highest tax rate assigned to the

1 following year's tax schedule must be assigned for the period to which the computation applies.

2 (2) No employer is permitted to pay his unemployment compensation tax at a reduced
3 rate for any quarter during which a tax execution issued in accordance with §51-104(e) with
4 respect to delinquent unemployment compensation tax for a previous quarter is unpaid and
5 outstanding against the employer.

6 (3) An employer will be assigned the computed rate based on the experience of the
7 account subsequent to the quarter in which the tax liens have been satisfied and the liens have
8 been released by the appropriate governing body.”

9 Sec. 264. Section 9 (6) of the Unemployment Compensation Act, effective August 28,
10 1935 (49 Stat. 950; D.C. Official Code § 51-109(6)) is amended by striking the phrase “District
11 of Columbia” wherever it appears in paragraph (6).

12 Sec. 265. Section 9 of the Unemployment Compensation Act, effective August 28, 1935
13 (59 Stat. 947; D.C. Official Code § 51-109) is amended by adding a new paragraph (10) as
14 follows:

15 “(10) That for each week of unemployment benefits claimant requests, claimant is
16 attached to the local labor market of, and certifies the weekly claim in, either the state in which
17 the claim for unemployment compensation was filed or the state in which claimant is seeking
18 employment, and such state is in the continental United States.”

19 Sec. 266. Section 19 (e)(1) of the Unemployment Compensation Act, effective August 28,
20 1935 (49 Stat. 956; D.C. Official Code § 51-119 (e)(1)) is amended by striking “1 year” and
21 replacing it with “2 years”.

22 Sec. 267. Section 3(c)(2) of the Unemployment Compensation Act, effective August 28,
23 1935 (59 Stat. 947; D.C. Official Code § 51-103(c)(2)) is amended by adding new subparagraphs
24 (G) through (R) as follows:

1 “(G) As used in this section, unless the context requires a different meaning:

2 (1) "Employer," with regard to the timeliness and adequacy of responses, includes an agent of
3 the employer used by the employer to respond to the Department on the employer's
4 behalf; however, an employer's agent's failure to respond timely or adequately to requests
5 for information with regard to claims involving the agent's other clients shall not be used
6 in determining whether the employer has established a pattern of failing to respond timely
7 or adequately to written requests for information.

8 (2) "Erroneous payment" means a payment of benefits made under this title, prior to the
9 receipt of all information required to make a determination by the Department based on
10 the applicable UI statutes governing eligibility.

11 (3) "Information relating to a claim" means information material to a determination or
12 decision by the Department relating to the payment of benefits under this title, including
13 separation information and information required by the Department for the establishment
14 of a claim for compensation, and information about wages and days and hours worked,
15 including wage reports.

16 (4) "Review period" means the 36 consecutive calendar month period ending on the June 30
17 that precedes the Department's annual calculation of the employer's tax rate pursuant to §
18 51-103.

19 (5) "Written request" includes a request sent electronically.

20 (H) An employer's account shall not be relieved of charges relating to an erroneous
21 payment if the Department determines that:

22 (1) The erroneous payment was made because the employer failed to respond timely or
23 adequately to a written request by the Department for information relating to the claim; and

24 (2) The employer has established a pattern of failing to respond timely or adequately to

1 written requests by the Department for information relating to claims.

2 (I) For purposes of this section, an employer's response to a written request by the
3 Department for information relating to a claim shall be deemed not to be:

4 (1) "Adequate" if it fails to provide sufficient material facts to enable the Department to
5 make a correct determination regarding a claim for benefits; however, (i) a response shall not be
6 deemed inadequate if the Department failed to request the necessary information or if information
7 is provided in a format other than as requested, provided that the information is capable of being
8 easily read and utilized by the recipient, and (ii) there shall be a rebuttable presumption that an
9 employer who participates in a fact-finding interview or responds fully to the questions set out on
10 the written request for information has provided an adequate response; and

11 (2) "Timely" if it is not made within 7 calendar days after the electronic delivery or
12 mailing date of the Department's request for information.

13 (J) An employer shall be deemed to have established a pattern of failing to respond timely
14 or adequately to written requests for information relating to claims if the Department determines
15 that the employer has failed to respond timely or adequately to a written request for information
16 relating to a claim, or failed to timely file wage reports, on four or more occasions within the
17 applicable review period. The Department shall not find that an employer has established a
18 pattern of failing to respond timely or adequately to written requests for information relating to
19 claims or wage reports unless the Department has provided the employer with the notices
20 required pursuant to Subsection K.

21 (K) The Department shall provide the employer with a written notice following the
22 employer's first, second, third and fourth determinations that the employer failed to respond
23 timely or adequately to a written request for information relating to a claim, or failed to timely
24 file wage reports within the applicable review period. Each such notice shall be delivered

1 electronically or mailed to the employer's last known address of record, and shall advise the
2 employer of the potential implications of the employer's failure to respond timely or adequately to
3 written requests for such information or failure to timely file wage reports.

4 (L) Upon the Department's fourth determination within the applicable review period that
5 an employer failed to respond timely or adequately to a written request for information relating to
6 a claim, or failed to timely file wage reports, the Department shall inform the employer that the
7 threshold for ineligibility for relief of charges related to erroneous payments has been established
8 and the employer's account will not be eligible for relief of such charges until the next June 30th.
9 A copy of the notice of ineligibility for relief of charges related to erroneous payments shall be
10 electronically delivered or mailed to the employer with the notice of the employer's fourth such
11 failure as required pursuant to subsection K.

12 (M) An employer shall not be found to have failed to respond timely or adequately to a
13 written request by the Department for information relating to a claim, or failed to have timely
14 filed a wage report, if the Department finds good cause for such failure. The Department may not
15 find good cause for an employer's failure to respond timely or adequately to such a written
16 request unless the failure is due to compelling circumstances beyond the employer's control.

17 (N) If the Department has determined that an employer has established a pattern of failing
18 to respond timely or adequately to written requests for information relating to claims, or failing to
19 timely file wage reports, such determination shall remain in effect until the end of the applicable
20 review period. Any charges for an erroneous payment that the Department determines are not to
21 be relieved from the employer's account pursuant to subsection L shall remain chargeable to the
22 employer's account through the period ending on the third June 30 following the Department's
23 determination.

24 (O) The issue of whether an employer's account shall be relieved of charges relating to an

1 erroneous payment, including whether an erroneous payment was made because the employer
2 failed to respond timely or adequately to a written request by the Department for information
3 relating to the claim, or failed to timely file a wage report, shall be decided in every Department
4 proceeding arising from an employer's appeal of an award of benefits. Any such decision shall be
5 subject to appeal pursuant to § 51-111. Final decisions shall be used in determining whether the
6 employer has established a pattern of failing to respond timely or adequately to written requests
7 for information relating to claims or failing to timely file wage reports, whether the employer is
8 subject to a civil penalty pursuant to subsection L, and whether the Department has given the
9 notices required pursuant to subsection K.

10 (P) The costs of benefits charged to any governmental entity, Indian tribe, or nonprofit
11 entity that is a reimbursable employing unit under this title shall not include any credits of benefit
12 overpayments actually collected by the Department if the Department finds that the overpayment
13 was made because the entity or its agent was at fault for failing to respond timely or adequately to
14 a written request for information relating to a claim or failing to timely file a wage report, and the
15 entity or agent has established a pattern of failing to respond timely or adequately to such requests
16 or failing to timely file wage reports.

17 (Q) If the erroneous payment results from a combined-wage claim, the determination of
18 eligibility for relief of charges related to erroneous payment shall be made by the paying state. If
19 the response from the employer does not meet the criteria established by the paying state for an
20 adequate or timely response, the paying state shall promptly notify the transferring state of its
21 determination, and the employer's account shall be appropriately charged.

22 (R) This section applies to erroneous payments established on or after October 21, 2013.

23 Sec. 268. Section 3(c)(7) of the Unemployment Compensation Act, effective August 28,
24 1935 (49 Stat. 947; D.C. Official Code § 51-103(c)(7)) is amended by adding new subparagraphs

1 (H) through (L), as follows:

2 “(H) Notwithstanding any other provision of law, the following shall apply regarding
3 assignment of rates and transfers of experience:

4 (1) If an employer transfers its trade, business or workforce, or a portion thereof, to
5 another employer and, at the time of the transfer, there is substantially common ownership,
6 management or control by the two employers, then the unemployment experience attributable to
7 the transferred portion of the trade, business or workforce shall be transferred to the employer to
8 whom such trade, business or workforce is so transferred. The rates of both employers shall be
9 recalculated and made effective immediately upon the date of the transfer.

10 (2) Whenever a person who is not an employer under this chapter at the time the trade,
11 business or workforce of an employer is executed, the unemployment experience of the acquired
12 trade, business or workforce shall not be transferred to such person if the Department finds that
13 such person acquired the trade, business or workforce solely or primarily for the purpose of
14 obtaining a lower rate of contributions. Instead, such person shall be assigned the applicable new
15 employer rate under § 51-103. In determining whether the trade, business or workforce was
16 acquired solely or primarily for the purpose of obtaining a lower rate of contributions, the
17 Department shall use objective factors which may include the cost of acquiring the trade, business
18 or workforce, whether the person continued the business enterprise of the acquired business, how
19 long such business enterprise was continued, and whether a substantial number of new employees
20 were hired for performance of duties unrelated to the business enterprise conducted prior to
21 acquisition.

22 (3) With the exception of group accounts as defined in § 51-103, two or more employers
23 who are liable or are subject to becoming liable to the provisions of the District of Columbia
24 Unemployment Compensation Act, § 51-101 et seq., shall not be deemed to have combined their

1 experience. Each employer shall be assigned an independent employer's contribution rate
2 pursuant to § 51-103, based on that employer's unique experience. A professional employer
3 organization or third party administrator who contracts with employers to provide or report
4 nontemporary workforce labor must maintain separate accounts for each of its clients and is
5 required to report each client's payroll, contributions, and tax liability as a separate and unique
6 legal entity to the Department.

7 (a) "Professional employer organization" means any person or entity that is currently
8 registered as a professional employer organization with the District of Columbia, Department of
9 Consumer and Regulatory Affairs, which contracts to provide the nontemporary, ongoing
10 employee workforce of its clients under a written leasing contract, the majority of whom are not
11 under the same ownership, management, or control as the professional employer organization
12 other than through the terms of the contract, and which meets any of the following conditions:

- 13 i. Has the right to hire and terminate the employees who perform services for
14 the client and to reassign the employees to other clients;
- 15 ii. Sets the rate of pay of the employees, whether negotiations and the
16 responsibility to set the rate of pay is shared with the client;
- 17 iii. Has the obligation to and pays the employees from its own accounts;
- 18 iv. Has the general right of direction and control over the employees,
19 including corporate officers, which right may be shared with the client to
20 the degree necessary to allow the client to conduct its business, meet any
21 fiduciary responsibility, or comply with any applicable regulatory or
22 statutory requirements;
- 23 v. Assumes responsibility for the unemployment insurance coverage of the
24 employees, files all required reports, pays all required contributions or

1 reimbursements due on the wages of the employees, and otherwise
2 complies with all of the provisions of this chapter that are applicable to
3 employers on behalf of the client;

- 4 vi. Has the obligation to establish, fund and administer employee benefit plans
5 for the employees; and
- 6 vii. Provides notice of the employee leasing arrangement to the employees.

7 (4) Third party administrator means any person who collects charges or premiums from,
8 or who, for consideration, represents employers in the administration of, unemployment insurance
9 claim filings, registering employers subject to unemployment liability statutes, the filing of
10 contribution and wage reports, and updating information related to the status of an employer's
11 account in connection with unemployment insurance coverage.

12 (I) If a person knowingly violates or attempts to violate subsections (a) and (b) or any
13 other provision of this chapter related to determining the assignment of a contribution rate, or if a
14 person knowingly advises another person in a way that results in a violation of such provision, the
15 person shall be subject to the following penalties:

16 (1) If the person is an employer, then such employer shall be assigned the highest rate
17 assignable under this chapter for the rate year during which the violation or attempted violation
18 occurred and the three rate years immediately following that rate year. However, if the employer
19 is already contributing at the highest rate for any year, or if the increased contribution rate would
20 impose a penalty amounting to less than 2% of the employer's total taxable wages for any year,
21 then a penalty rate of 2% of taxable wages shall be imposed for that year.

22 (2) If the person is not an employer, such person shall be subject to a civil money penalty
23 of not more than \$5,000. Any such fine shall be deposited in the penalty and interest account
24 established under § 51-114.

1 (J) In addition to the penalty imposed by paragraph (I) of this subsection, any violation of
2 this section may be prosecuted as a felony under § 22-3222.

3 (K) The Commissioner shall establish procedures to identify the transfer or acquisition of
4 a business for purposes of this section.

5 (L) For purposes of this section—

6 (1) “Person” has the meaning given such term by § 7701(a)(1) of the Internal Revenue
7 Code of 1986, 21 U.S.C. § 1 et seq.

8 (2) “Knowingly” means having actual knowledge of or acting with deliberate ignorance or
9 reckless disregard for the prohibition involved.

10 (3) “Violates or attempts to violate” includes instances when an employer or an
11 employer’s agent evades or attempts to evade providing accurate information, or misrepresents or
12 attempts to misrepresent information that impedes the Department’s ability to assign contribution
13 rates based on accurate information.

14 Sec. 269. Section 1(5) of the Keep D.C. Working Act of 2010, effective October 15, 2010
15 (Law 18-238; D.C. Official Code § 51-171(5)) is amended by striking “the lesser of:” and
16 replacing it with the language as follows:

17 (5) “the usual hours of work of full-time and regular part-time workers in the affected unit.
18 Overtime hours are not included as part of normal weekly hours of work. The normal weekly
19 hours of an affected unit is the lesser of:”

20 Sec. 270. Section 4(c) of the Keep D.C. Working Act of 2010, effective October 15, 2010
21 (Law 18-238; D.C. Official Code § 51-174(c)) is amended by striking subparagraph (c) and
22 replacing it with subparagraph (c) as follows:

23 (c) A shared work plan shall not be implemented:

24 (1) To subsidize seasonal employers during the off-season or to subsidize employers who

1 have traditionally use part-time employees;

2 (2) If the employer's unemployment insurance account has a negative unemployment
3 experience reserve;

4 (3) If the employer's unemployment insurance account is taxed at the maximum tax rate
5 in effect for the calendar year;

6 (4) For employers who have not qualified to have a tax rate assigned based on actual
7 experience; therefore, employers subject to a "new employer" tax rate are not eligible to
8 participate in a shared work program;

9 (5) For employees who are receiving or who will receive supplemental unemployment
10 benefits during any period a shared work plan is in effect;

11 Sec. 271. Section 8 of the Keep D.C. Working Act of 2010, effective October 15, 2010
12 (Law 18-238; D.C. Official Code § 51-178) is amended by adding subparagraphs (c) and (d) as
13 follows:

14 "(c) Shared Work compensation shall be charged to employers' experience rating
15 accounts in the same manner as unemployment compensation is charged under D.C. Code § 51-
16 103. Employers liable for payments in lieu of contributions shall have shared work compensation
17 benefits charges attributed in the same manner as unemployment compensation is attributed.

18 (d) Shared work payments made to individuals who are in an approved training program
19 are subject to a relief of charges."

20 **SUBTITLE H. H STREET RETAIL PRIORITY AREA INCENTIVE**

21 **AMENDMENT**

22 Sec. 281. Short title

23 This subtitle may be cited as the "H Street Retail Priority Area Incentive Amendment Act
24 of 2014".

1 Sec. 282. The H Street Retail Priority Area Incentive Act of 2010, effective April 8, 2011
2 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et. seq.*) is amended as follows:

3 (a) Section 3(c) is amended by adding a new subsection (3) to read as follows:

4 “(3) Beginning October 1, 2014, all grants made in accordance with the H Street Retail
5 Priority Area Grant Fund shall be used to support corridor revitalization programs in accordance
6 with the “Great Streets Neighborhood Retail Priority Area Amendment Act of 2013.”.

7 **SUBTITLE I. LOCAL RENT SUPPLEMENT SUSTAINMENT**

8 Sec. 291. Short title.

9 This subtitle may be cited as the "Local Rent Supplement Sustainment Amendment Act of
10 2014".

11 Sec. 292. Section 4-753.05 of the Homeless Services Reform Act of 2005, effective
12 October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended to read as
13 follows:

14 "Section 4-753.05. Placement of homeless families and individuals.

15 "The Mayor and the District of Columbia Housing Authority shall fill all new and vacated
16 Local Rent Supplement Program vouchers (established by D.C. Official Code § 6-228 and § 6-
17 229) through referrals by the Department of Human Services based on assessments.

18 **SUBTITLE J. FILM DC ECONOMIC INCENTIVE AMENDMENT**

19 Sec 2101. Short title.

20 This subtitle may be cited as the “Film DC Economic Incentive Amendment Act of
21 2014”.

22 Sec. 2102. Chapter 5 of Title 39 of the District of Columbia Official Code is amended to
23 read as follows:

24 “Sec. 2103. Film DC Economic Incentive Grant Fund.

1 (“a) There is hereby established a segregated, non-lapsing fund to be known as the Film
2 DC Economic Incentive Grant Fund (“Fund”). The Fund shall appear as a separate program line
3 within the budget of the Office of Motion Picture and Television Development. The Fund shall be
4 funded by annual appropriations. All funds deposited into the Fund shall not revert to the General
5 Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be
6 continually available for the uses and purposes set forth in this act, subject to authorization by
7 Congress in an appropriations act.

8 “(b)(1) The funds in the Fund shall be used:

9 “(A) To provide incentives through discretionary grants for film and
10 television projects that expend at least \$500,000 in qualified expenses in a period of 5 or more
11 days for production activities located in the District of Columbia, in an amount not to exceed
12 100% of the taxes paid to the District on the qualified expenses; and

13 “(B) For administrative costs and monitoring of the Fund.

14 “(2) For the purposes of this subsection, the term “qualified expenses” means the
15 costs incurred in the District for the production of the film or television project (including all
16 expenses incurred in the District of Columbia from vehicle rentals, camera equipment, lighting,
17 stage equipment, recording equipment, costumes, wardrobe, construction materials, props,
18 scenery materials, film and tape, design materials, special effects materials, fabrication, printing
19 or production of scripts, storyboards, costumes, salaries paid to District residents, hotel expenses,
20 food and alcohol purchases, restaurant expenses, and related supplies and equipment).

21 “(c) The Mayor shall submit an annual report to the Council, on or before December 31 of
22 each year, for the fiscal year concluding September 30 that includes:

23 “(1) For each grant, the amount of the grant, the rationale for the grant, and the
24 revenue generated for the District by each project for which a grant was awarded;

1 “(2) The criteria used in evaluating the grant proposals; and
2 “(3) The number of grant applications received and a description of each project
3 for which a grant application was made.

4 “(d) For all funds in the Fund, the Office of Motion Picture and Television Development
5 shall have grant making authority.

6 “Sec. 2104. Rulemaking.

7 “The Mayor may promulgate rules necessary to implement this act.”.

8 **TITLE III. PUBLIC SAFETY AND JUSTICE**

9 **SUBTITLE A. MPD ESCORT AND REIMBURSEMENT**

10 Sec. 301. Short title.

11 This subtitle may be cited as the “Metropolitan Police Department Escort and
12 Reimbursement Act of 2014”.

13 Sec. 302. Escorts and other law enforcement services.

14 “(a) The Chief of Police is authorized to obtain reimbursement of fees for providing
15 police escorts and other law enforcement services that are necessary to protect public health and
16 safety.

17 “(b) The Chief of Police shall promulgate rules establishing a process for reimbursement
18 and a fee for service schedule.”.

19 **SUBTITLE B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT**

20 Sec. 311. Short title.

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

23 Sec. 312. Section 1a of An Act To classify the officers and members of the fire
24 department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat.

1 314; D.C. Official Code § 5-401.01), is amended to read as follows:

2 “(a) The Fire and Emergency Medical Services Department is designated as the state
3 safety oversight agency, as required by Title 49, Part 53, of the United States Code, and
4 implementing regulations, as they may be amended from time to time (referred to in this section
5 as “applicable federal law”).

6 “(b) There is established, within the Fire and Emergency Medical Services Department, a
7 state safety office. The office shall be headed by a Program Manager, who shall not be
8 supervised by, or in any way under the direction or control of, any District officer or employee
9 (or anyone acting on their behalf) responsible for any aspect of the operation of the DC Streetcar.
10 Consistent with applicable federal law, the Program Manager of the state safety office, or his or
11 her designee, shall:

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

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

19 “(3) Perform audits of the DC Streetcar system, as required by federal or District
20 law, to evaluate compliance with any required safety-related plans, or for any other purpose the
21 Program Manager concludes would promote the safe operation of the DC Streetcar;

22 “(4) Issue reports and findings regarding all aspects of the safety and security of
23 the DC Streetcar, including operations and accidents, as required by federal or District law or
24 when, the Program Manager determines that such action would promote the safe operation of the

1 DC Streetcar;

2 “(5) Require the development of any safety-related plans required by federal or
3 local law for the DC Streetcar and, after review, approve or disapprove such plans as appropriate;

4 “(6) Enforce statutes, regulations, executive orders, and rules relating to the safe
5 operation of a rail fixed guideway public transportation system generally, or the DC Streetcar
6 specifically;

7 “(7) Order the partial or complete cessation of any activity undertaken by the
8 District government or any entity acting on behalf of the District government, in connection with
9 the operation of the DC Streetcar, whenever the Program Manager of the state safety office
10 concludes that this cessation is required in order to protect or promote public safety;

11 “(8) Conduct any other activity and take any other action necessary to implement
12 federal or District laws or regulations related to the functions and responsibilities of a rail fixed
13 guideway public transportation system state safety oversight agency;

14 “(9) Execute and file an application for Federal assistance on behalf of the
15 District with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C.
16 chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project
17 administered by the Federal Transit Administration;

18 “(10) Execute and file with its application the annual certifications, assurances,
19 and other documents the Federal Transportation Administration requires before awarding a
20 Federal assistance grant or cooperative agreement; and

21 “(11) Execute grant and cooperative agreements with the Federal Transit
22 Administration on behalf of the District.”.

23 “(b) The Program Manager of the state safety oversight office may issue rules to
24 implement this section.”.

1 **TITLE IV. PUBLIC EDUCATION**

2 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**
3 **SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

4 Sec. 401. Short title.

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

7 Sec. 402. The Uniform Per Student Funding Formula for Public Schools and Public
8 Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26,
9 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

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

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

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

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

20 "Special Education Add-ons:

Level/ Program	Definition	Weighting	Per Pupil Supplemental 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	1.20	\$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 attorney's fees.	0.089	\$845

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"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
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"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2015
"ELL	Additional funding for English Language Learner's.	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

"Level/ Program	Definition	Weighting	Per Pupil Supplemental 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 proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	\$27,280
"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

"Residential Add-ons:

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

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"Level/ Program	Definition	Weighting	Per Pupil Supplemental 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".

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22 **SUBTITLE B. ALTERNATIVE SCHOOL ESTABLISHMENT**

23 Sec. 411. This subtitle may be cited as the "Alternative School Establishment Act of
 24 2014".

1 Sec. 412. The Uniform Per Student Funding Formula for Public Schools and Public
2 Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26,
3 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

4 (a) Paragraph (1B) of Section 102 (D.C. Official Code § 38-2901) is repealed.

5 Sec 413. Designation of Alternative Schools

6 “(a) The Office of the State Superintendent of Education (OSSE) shall have the exclusive
7 authority to designate an educational institution as an alternative school, or a program within a
8 school an alternative program, for the purposes of funding eligible students under the Uniform
9 Per Student Funding Formula.

10 (b) An educational institution shall be eligible for funding as an alternative education
11 school or program within a school, upon approval by OSSE that an application demonstrates the
12 following eligibility criteria:

13 (1) The school or program mission focuses on students in need of alternative
14 education;

15 (2) The student population of the school or program, in the previous academic year,
16 was comprised of at least 70% of students who meet the eligibility criteria for students in need of
17 alternative education. OSSE may waive these eligibility criteria for a school or program in its
18 first year of operation.

19 (3) For purposes of this chapter a student shall be considered in need of alternative
20 education if the student is:

21 (A) A District of Columbia resident;

22 (B) 18 years of age or younger; and may in the discretion of the school
23 include students up through the age of 24.

1 (C) Without a high school diploma or its equivalent, and at least one of the
2 following criteria is met:

3 (i) Under court supervision;

4 (ii) Has a history of being on long-term suspension, as defined by
5 OSSE through rulemaking;

6 (iii) Has a history of receiving multiple short-term suspensions
7 within one school year, as defined by OSSE through rulemaking;

8 (iv) Has been expelled;

9 (v) Is seeking admission to a District public school or public
10 charter school after withdrawing for a period of 9 weeks or greater, during which the student
11 received no public or private instruction, as defined by OSSE through rulemaking;

12 (vi) Has a history of severe absenteeism or severe truancy, as
13 defined by OSSE through rulemaking;

14 (vii) Is committed to the Department of Youth Rehabilitation
15 Services;

16 (viii) Has been incarcerated in an adult correctional facility;

17 (ix) Is pregnant or parenting;

18 (x) Is receiving treatment for drug abuse;

19 (xi) Has a history of violence, as defined by OSSE through
20 rulemaking;

21 (xii) Is severely over-aged and/or under-credited, as defined by
22 OSSE through rulemaking, or;

1 (xiii) Meets other criteria for alternative education status, as
2 defined by OSSE through rulemaking.

3 (4) The school or program specializes in instruction that meets the unique needs
4 of students in need of alternative education and the following academic and programmatic
5 characteristics:

6 (A) Provides full-time instruction as defined by OSSE through
7 rulemaking;

8 (B) Culminates in the granting of a high school diploma or its equivalent;
9 and

10 (C) Provides individualized educational plans aimed at eliminating
11 barriers to academic success and meeting the specific needs of students in need of alternative
12 education.

13 (e) An alternative school or program may provide services and supports either directly
14 or through a partnership with a community-based organization.(d) OSSE shall accept
15 applications for alternative school or program status on an annual basis and shall establish a
16 periodic reapplication process through rulemaking.

17 (e) OSSE shall have the authority to audit alternative schools and programs at any
18 time to verify their continued eligibility and may revoke the alternative school or program
19 designation based upon a finding that the school does not meet the eligibility criteria.

20 (f) All schools, or programs within schools, seeking alternative school designation or
21 those schools or programs already designated as alternative schools shall report attendance data
22 for all students being funded under the alternative education uniform per student funding formula
23 as required by OSSE through rulemaking.

1 (g) All schools or programs within schools seeking alternative school designation or
2 those schools or programs already designated as alternative schools shall comply with all OSSE
3 data and records requests related to verifying their alternative school status.”

4 Sec. 414. Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
5 follows:

6 (a) Section 16-2333(b)(4) is amended to add a new subsection (F) to read as follows:

7 “(F) The Office of the State Superintendent of Education for the purposes of
8 administering alternative education funding under the Uniform Per Student Funding Formula and
9 fulfilling State education agency functions; and”.

10 **SUBTITLE C. DC PUBLIC CHARTER SCHOOL BOARD FUNDING**

11 **AMENDMENT**

12 Sec. 421. Short title.

13 This subtitle may be cited as the “District of Columbia Public Charter School Board
14 Funding Amendment Act of 2014”.

15 Sec. 422. Section 2211 of the Balanced Budget Downpayment Act II, approved April 26,
16 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2)), is amended by striking the phrase
17 “one-half of one percent” and inserting the phrase “one percent” in its place.

18 **SUBTITLE D. PREFERENCES IN ADMISSION FOR PUBLIC CHARTER** 19 **SCHOOL APPLICANTS.**

20 Sec. 431. Short title.

21 This subtitle may be cited as the “Preferences in Admission for Public Charter Schools
22 Act of 2014.”

1 Sec. 432. The District of Columbia School Reform Act of 1995, approved April 26, 1996
2 (110 Stat. 1321; D.C. Code, § 38-1800.01 *et seq.*), is amended as follows:

3 (a) Section 2206(c) (D.C. Official Code §38-1802.06(c)) is amended to read as follows:

4 “(c)(1) If there are more applications to enroll in a public charter school from
5 students who are residents of the District of Columbia than there are spaces available, students
6 shall be admitted using a random selection process, except that a preference in admission may be
7 given to an applicant who is:

8 “(A) A sibling of a student already attending or selected for admission to
9 the public charter school in which the applicant is seeking enrollment;

10 “(B) A child of a member of the public charter school’s founding board, so
11 long as enrollment of such children is limited to no more than 10% of the school’s total
12 enrollment or to 20 students, whichever is less;

13 “(C) A child of a full time employee of the public charter school, so long
14 as enrollment of such children is limited to no more than 10% of the school’s total enrollment;

15 “(D) A student with an individualized education program (IEP), provided
16 such preference is consistent with Part B of the Individuals with Disabilities Education Act of
17 1975 (20 U.S.C. 1411 *et seq.*) and Part B of Title V of the Elementary and Secondary Education
18 Act of 1965, as amended (20 U.S.C. §§ 7221-7225g); and provided further that nothing in this
19 subparagraph shall be construed as allowing a public charter school to limit enrollment based on
20 a student’s special education status, or to require disclosure of a student’s IEP as a condition for
21 application or enrollment; or

22 “(E) A child who has been committed to the custody of the District of
23 Columbia within the twelve months prior to applying to a public charter school.

1 “(2) A public charter school seeking to establish a preference pursuant to
2 paragraph (1)(D) or (1)(E) of this subsection shall apply to its eligible chartering authority for
3 permission to establish a preference in admission. In approving a public charter school’s
4 application to establish such a preference, an eligible chartering authority shall specify the scope
5 of the preference for which permission has been granted, and the reasons for granting the
6 preference, in a document that shall be made publicly available.”.

7 (b) Section 2211 (b)(2) (D.C. Official Code §38-1802.11(b)(2)) is amended by replacing
8 the phrase “one-half of one” with the word “one”.

9 **SUBTITLE E. RESIDENCY EXEMPTION FOR WARDS OF THE STATE**

10 Sec. 441. Short Title.

11 This subtitle may be cited as the “Educational Continuity Act of 2014.”

12 Sec. 442. The District of Columbia Nonresident Tuition Act, approved September 8,
13 1960 (74 Stat. 853, Pub. L. 86-725, D.C. Code §38-302) is amended by inserting a new
14 paragraph (e) to read as follows:

15 “(e) In the event that care, custody, and substantial support of a child, formerly a
16 ward of the District of Columbia, and enrolled in a District of Columbia public school, are
17 supplied by the person or persons with whom such child is residing in another jurisdiction, such
18 child shall be considered a resident of the District of Columbia for the purpose of attendance at
19 that school and exempt from the requirement to pay tuition for a period of up to 3 years from the
20 time the child ceased being a ward of the District.”.

21 **SUBTITLE F. ESTABLISHMENT OF THE COMMON LOTTERY BOARD**

22 Sec. 451. Short Title.

1 This subtitle may be cited as the “Common Lottery Advisory Board Establishment
2 Amendment Act of 2014.”

3 Sec. 452. Section 202 of the Public Education Reform Amendment Act, effective June
4 12, 2007, (D.C. Law 17-9; D.C. Code § 38-191), is amended by adding a new subsection (f) to
5 read as follows:

6 “(f) There is established within the Department of Education the District of Columbia
7 Common Lottery Advisory Board (“CLB”).

8 “(2) The purpose of the CLB is to advise the Deputy Mayor for Education on the
9 development, implementation and continued improvement of the common lottery system for
10 public schools within the District of Columbia.

11 “(3) “(A) The CLB shall consist of the following 10 members:

12 “(i) The Deputy Mayor for Education, or his or her designee;

13 “(ii) The Chancellor of the District of Columbia Public School
14 (“DCPS”), or his or her designee;

15 “(iii) Two representatives of the District of Columbia Public
16 Schools, as appointed by the Chancellor of DCPS;

17 “(iv) Three representatives from public charter schools within the
18 District of Columbia, to be selected by a vote organized by the District of Columbia Public
19 Charter School Board;

20 “(v) The Executive Director of the Public Charter School Board, or
21 his or her designee; and

22 “(vi) The State Superintendent of Education, or his or her
23 designee;

1 “(vii) The Executive Director of the CLB.

2 “(B) The Deputy Mayor for Education, or his or her designee, shall serve
3 as Chairperson.

4 “(C) The CLB shall establish its own by-laws and rules of procedure by
5 the unanimous approval of the members of the full CLB.

6 “(4) “(A) Members of the CLB shall serve a term of two years.

7 “(B) A term shall begin on July 1 and end on June 30.

8 “(C) There shall be no maximum number of terms of membership.

9 “(D) Members who fail to attend more than 3 consecutive meetings may
10 be removed by the Chairperson.

11 “(5) “(A) The functions of the CLB shall include:

12 “(i) Development and continuous improvement of the common
13 lottery system;

14 “(ii) Development of a 5 year strategic plan for the common lottery
15 system;

16 “(iii) Development of an annual budget for the common lottery
17 system;

18 “(iv) Securing private funding to support the development and
19 implementation of the common lottery system in accordance with District law and rules;

20 “(v) Promoting participation of local educational agencies in the
21 DC common lottery system;

22 “(vi) Identifying and approving agreements with critical partners
23 that will enable the CLB to develop and implement the DC common lottery system; and

1 “(vii) Approval of policies and procedures that govern the common
2 lottery system.

3 “(6) Members of the CLB, with the exception of the Executive Director, shall
4 serve without compensation, except that a member may be reimbursed for expenses incurred in
5 the authorized execution of official CLB duties, if approved in advance by the Deputy Mayor for
6 Education, or his or her designee, and subject to the availability of an appropriation.

7 “(7) “(A) The Office of the Deputy Mayor for Education shall provide
8 administrative and technical support for the CLB.

9 “(B) The CLB shall approve the selection and termination of the
10 Executive Director, whose compensation shall be subject to the availability of appropriations.
11 The Executive Director shall exercise personnel authority over any additional staff.

12 “(C) The CLB may utilize District public space for its official duties.

13 “(8) The CLB shall be funded through local appropriations and any private
14 donations that the Department of Education receives that are intended for the purposes of
15 establishing, maintaining, and continuously improving the common lottery system.”.

16 **SUBTITLE G. EDUCATION FUNDING FORMULA EQUITY**

17 Sec. 461 Short title.

18 This subtitle may be cited as the "Education Funding Formula Equity Amendment Act of
19 2014".

20 Sec. 462. Section 115 of the Uniform Per Student Funding Formula for Public Schools
21 and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C.
22 Official Code § 38-2913), is amended by striking the phrase "fiscal year 2015" and inserting the
23 phrase "fiscal year 2016" in its place.

1 **TITLE V. HEALTH AND HUMAN SERVICES**

2 **SUBTITLE A. DEVELOPMENTAL DISABILITY SERVICE MANAGEMENT**

3 **REFORM**

4 Sec. 501. Short title.

5 This subtitle may be cited as the “Department on Disability Services Amendment Act of
6 2014.”

7 Sec. 502. The Department on Developmental Disabilities Establishment Act of 2006,
8 effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended
9 as follows:

10 (a) Section 102 (8) is amended by striking the current language in its entirety and
11 replacing it with the following language: ““DHCF” means the Department of Health Care
12 Finance as established in the Department of Health Care Finance Establishment Act of 2007,
13 effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*.”

14 (b) Section 102 (9) is amended by striking the phrase “Medical Assistance
15 Administration” and inserting “DHCF” in its place.

16 (c) Section 105 (4) is amended by striking the phrase “MAA” and inserting “DHCF” in
17 its place.

18 (d) Section 106 is amended by adding a new subsection (g) as follows: “(g) The Director
19 shall have authority to issue grants and stipends consistent with appropriations.”.

20 (e) Section 107 (a) is amended by striking the current language in its entirety and
21 replacing it with the following language: “(a) The Department and the DHCF shall enter into an
22 agreement for the Department to direct: policy development and design of services, rate-setting,
23 and support provided under the Home and Community-Based Services Waiver for Individuals

1 with Intellectual and Developmental Disabilities or any other waiver targeted for people with
2 intellectual and developmental disabilities and their families that is approved under section
3 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1369n);
4 and policies, services, and supports related to the operation of intermediate care facilities for
5 individuals with intellectual disabilities.”.

6 (f) Section 107 (b) is amended by striking the phrase “Medical Assistance
7 Administration” and inserting “DHCF” in its place.

8 (g) By adding a new section 112 to read as follows:

9 “Sec. 112. Family Support Council.

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

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

16 (c) Within one year of implementation of this Act, the Department shall publish operating
17 procedures for the Family Support Council, and the Director shall appoint the initial Family
18 Support Council members.”.

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

21 Sec. 511. Short Title.

22 This subtitle may be cited as the “Department of Health Functions Clarification
23 Amendment Act of 2014”.

1 Sec. 512. The Department of Health Functions Clarification Act of 2001, effective
2 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 *et seq.*), is amended as follows:

3 (a) Section 4907a (D.C. Official Code § 7-736.01) is amended by adding new
4 subsections (c) and (d) to read as follows:

5 “(c)(1) Through fiscal year 2015, the Director of the Department of Health may issue
6 grants totaling \$ 1,550,000 to District of Columbia HIV prevention programs for a combination
7 of HIV prevention interventions. These interventions shall include HIV screening in clinical and
8 non-clinical settings and effective behavioral programs.

9 “(2) Through fiscal year 2015, the Director of the Department of Health may issue
10 HIV prevention grants for a combination of HIV prevention interventions that include:

11 “(A) HIV screening;

12 “(B) Harm reduction;

13 “(C) Social network HIV screening;

14 “(D) Partner services;

15 “(E) Faith-based initiatives;

16 “(F) Youth peer education; and

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

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

21 “(d) During fiscal year 2015, the Director of the Department of Health may issue grants
22 to qualified community organizations to provide:

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

3 “(2) Ambulatory health services;

4 “(3) Poison control hotline and prevention education services;

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

6 “(5) A teen pregnancy prevention program.”.

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

8 “Sec. 4907b. Communicable and Chronic Disease Prevention and Treatment Fund.

9 “(a) There is established, as a nonlapsing fund in the Department of Health, the
10 Communicable and Chronic Disease Prevention and Treatment Fund (“Fund”), to be
11 administered by the Mayor as an agency fund, as defined in § 47-373(2)(I). All funds from
12 third-party payors, sliding fee scale collections, and other collections related to the prevention
13 and treatment of communicable and chronic diseases by the Department of Health, and the
14 interest earned thereon, shall be deposited into this Fund and used for operations necessary to
15 provide communicable and chronic disease prevention and treatment services.

16 “(b) The funds deposited into the Fund shall not revert to the unrestricted fund balance of
17 the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but
18 shall be continually available to the Department of Health for the uses and purposes set forth in
19 subsection (a) of this section, subject to authorization by Congress.”

20 “Sec. 4907c. Communicable Disease Fees.

21 “(a) The Director of the Department of Health may establish a schedule of fees for the
22 prevention and treatment of communicable diseases, including HIV/AIDS, hepatitis, sexually
23 transmitted diseases, and tuberculosis to be provided to any individual who presents for

1 prevention or treatment services, regardless of health insurance coverage or ability to pay. The
2 Director may periodically revise the schedule of fees and may establish a sliding fee scale, based
3 on income, for uninsured individuals. The fees, including any sliding fee scale, shall be
4 published in the District of Columbia Register.

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

7 **SUBTITLE C. MEDICAL ASSISTANCE PROGRAM AMENDMENTS**

8 Sec. 521. Short title.

9 This subtitle may be cited as the “Medical Assistance Program Amendment Act of 2014”.

10 Sec. 522. Section 1(a) of An Act to enable the District of Columbia to receive Federal
11 financial assistance under title XIX of the Social Security Act for a medical assistance program,
12 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-
13 307.02(a)), is amended by adding a new paragraph (8) to read as follows:

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

17 “(A) Implement needed amendments to the Elderly and Individuals with
18 Physical Disabilities (EPD) waiver to ensure compliance with federal law and promote best
19 practices.

20 “(B) Establish new payment rates for Federally-Qualified Health
21 Centers.”.

22 “(C) Establish new payment method and make other improvements to the
23 payment methodology for hospital inpatient treatment.”.

1 “(D) Establish new payment method and make other improvements to the
2 payment methodology for hospital outpatient services.

3 “(E) Implement needed amendments to the Intellectual
4 Disabilities/Developmental Disabilities (IDDD) waiver to ensure compliance with federal law
5 and promote best practices.

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

9 “(G) Update transplantation coverage standards and provide coverage for
10 lung transplantation and autologous bone marrow transplantation.”.

11 **SUBTITLE D. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT**
12 **AMENDMENT**

13 Sec. 531. Short title.

14 This subtitle may be cited as the “Department of Behavioral Health Establishment
15 Amendment Act of 2014.”

16 Sec. 532. The Department of Behavioral Health Establishment Act of 2013, effective
17 December 24, 2013 (D.C. Law 20-61, 60 DCR 12472), is amended by adding a new section
18 5118a to read as follows:

19 “5118a. Transfer of authority, functions, property, and personnel.

20 “All property, Career and Excepted Service, Management Supervisory Service, and
21 trainee positions, personnel, assets, records, obligations, unexpended balances of appropriations,
22 allocations, and other funds available or to be made available to the Tobacco Control Program

1 within the Department of Behavioral Health are hereby transferred to the Department of
2 Health.”.

3 Sec. 533. Transfers

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

8 **SUBTITLE E. DBH ENTERPRISE FUND ESTABLISHMENT**

9 Sec. 541. Short title

10 This subtitle may be cited as the “Department of Behavioral Health Enterprise Fund
11 Amendment Act of 2014.”

12 Sec. 542. (a) There is established within the General Fund of the District of Columbia a
13 segregated, lapsing account, to be designated the “Department of Behavioral Health Enterprise
14 Fund”, into which shall be deposited all fees, proceeds and revenues collected from the following
15 activities and operations:

16 (1) Food cafeteria managed and operated by the Department of Behavioral Health
17 (“Department”) on the St. Elizabeths Hospital Campus to serve staff, patients and visitors;

18 (2) Collection of fees charged for trainings and Continuing Education Units
19 (CEUs) by the Department of Behavioral Health (“Department”) Organizational Development-
20 DMH Training Institute;

21 (3) Recoupment and collection of housing bridge subsidy payments from
22 individual consumers, representative payees, and landlords by the Department of Behavioral
23 Health (“Department”) Adult Services Supported Housing program; and

1 (4) All monies from the Fund shall only be used for the management and
2 operation of the food cafeteria, DMH Training Institute, and Supported Housing programs
3 managed and operated by the Department.

4 (b) All funds received but not expended in a fiscal year shall revert to the unrestricted
5 fund balance of the General Fund of the District of Columbia.

6 **SUBTITLE F. LIHEAP HEAT AND EAT ELIGIBILITY AMENDMENT**

7 Sec. 551. Short title.

8 This subtitle may be cited as the “LIHEAP Heat and Eat Eligibility Preservation
9 Amendment Act of 2014”.

10 Sec. 552. Section 5083(c) of the Fiscal Year 2010 Budget Support Act of 2009, effective
11 March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c) (2013 Repl.)), is amended
12 by striking the phrase “minimum annual benefit of \$1” and inserting the phrase “minimum
13 annual benefit of \$20.01.” in its place.

14 **SUBTITLE G. HEALTH SERVICES PLANNING AND DEVELOPMENT**

15 Sec. 561. Short title.

16 This subtitle may be cited as the “Health Services Planning and Development
17 Amendment Act of 2014.”

18 Sec. 562. Section 2 of the Health Services Planning Program Re-establishment Act of
19 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 *et seq.*), is
20 amended as follows:

21 “(12) “Health service” means any medical or clinical related service, including services
22 that are diagnostic, curative or rehabilitative, as well as those related to inpatient mental health
23 services, home health care, hospice care, medically supervised day care, and renal dialysis.

1 “Health service” shall not include those outpatient behavioral health services subject to the
2 exclusive regulatory authority of the Department of Behavioral Health and services provided by
3 physicians, dentists, HMOs, and other individual providers in individual or group practice.

4 **SUBTITLE H. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TIME**

5 **LIMIT**

6 Sec. 571. Short title.

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

9 Sec. 572. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982
10 (D.C. Law 4-101; D.C. Official Code § 4-201.01 et seq.) is amended as follows:

11 (a) Section 511 (b) (D.C. Official Code 4-205.11(b)) is amended by striking “in the
12 District”.

13 (b) Section 552 (d) (D.C. Official Code 4-205.52(d) is amended by adding a new section
14 (d-1), which shall read as follows:

15 “(d-1)(1) Effective October 1, 2015, the payment levels issued pursuant to section
16 (c) of this subsection shall be adjusted annually for the rate of inflation, pursuant to the consumer
17 price index (CPI), except for Fiscal Year 2017, for which the payment level shall be adjusted by
18 46%.

19 “(2) The payment levels set forth in subsection (c) of this section shall be
20 increased by multiplying the payment level set forth in subsection (c) of this section by the CPI
21 percentage increase from the preceding calendar year, as determined by the United States
22 Department of Labor Bureau of Labor Statistics in the Consumer Price Index for Urban
23 Consumers (CPI-U) for all items.

1 (c) Section 572a (b) (D.C. Official Code §572a(b)) is amended to read as follows: “An
2 assistance unit’s eligibility for POWER, pursuant to subsection (a) of this section, shall be
3 subject to periodic review and redetermination as determined by the Mayor or the Mayor’s
4 designee”.

5 (d) Section 575 (D.C. Official Code § 205-75) is amended by adding a new section (c) to
6 read as follows:

7 “(c) A POWER recipient who is determined eligible for continuation of POWER
8 benefits due to incapacity under section 572(b)(2) shall submit an application for Social Security
9 Disability Insurance (SSDI) and/or Supplemental Social Insurance (SSI) benefits as part of their
10 self-sufficiency plan. The Mayor or the Mayor’s designee shall offer application and advocacy
11 assistance.

12 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

13 **SUBTITLE A. VAULT RENT AMENDMENT**

14 Sec. 601. Short title.

15 This subtitle may be cited as the “Vault Rent Amendment Act of 2014”.

16 Sec. 602. The District of Columbia Public Space Rental Act, approved October 17, 1968
17 (82 Stat. 1156; D.C. Official Code § 10–1101.01 et seq.), is amended as follows:

18 (a) Section 103 (DC Official Code § 10-1101.01) is amended as follows:

19 (1) A new subsection (1B) is added to read as follows:

20 “(1B) “Chief Financial Officer” means the Chief Financial Officer of the District of
21 Columbia.”.

22 (2) A new subsection (1C) is added to read as follows:

1 “(1C) “Condominium unit owners’ association” shall have the same meaning as the unit
2 owner’s association described in section 301 of the Condominium Act of 1976, effective March
3 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.01) or a master association as defined in
4 subsection 19A of section 102 of the Condominium Act of 1976, effective March 29, 1977 (D.C.
5 Law 1-89; D.C. Official Code § 42-1901.02(19A), as the context may require.”.

6 (3) A new subsection (1D) is added to read as follows:

7 “(1D) “Declarant” shall have the same meaning as set forth in section 103 of the
8 Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official code § 42-
9 1901.02(11)).”.

10 (4) A new subsection (6A) is added to read as follows:

11 “(6A) “Responsible condominium unit owners’ association” means a condominium unit
12 owners’ association if vault rent was an obligation of the condominium as a whole before there
13 was a unit owner other than the declarant, or the condominium unit owners’ association or its
14 predecessor entered into an agreement with the Mayor relating to the occupation of vault
15 space.”.

16 (5) A new subsection (9) is added to read as follows:

17 “(9) “Vault rent year” means the period beginning July 1st each year and ending June 30th
18 each succeeding year.”.

19 (b) Section 303 (DC Official Code § 10-1103.02) is amended to read as follows:

20 “(a) The Chief Financial Officer shall assess and collect rent and charges from the owner
21 or owners of abutting property for any vault located in the public space abutting such property,
22 unless such vault shall have been removed, filled, sealed, or otherwise rendered unusable in a
23 manner satisfactory to the Mayor. Bills and notices shall be deemed to be properly served when

1 mailed via first class mail to the abutting property owner's mailing address of record as
2 maintained by the Chief Assessor of the Office of Tax and Revenue.

3 “(b) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29,
4 1977 (D.C. Law 1-89; D.C. Official Code §42-1901.04) or any provision that imposes liability
5 for vault rent that is contrary to this subsection, vault rent shall be assessed against a responsible
6 condominium unit owners' association.

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

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

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

19 “(4) The Chief Financial Officer may correct or change any land assessment
20 relating to the vault rent account for which a responsible condominium unit owners' association
21 is responsible as under the circumstances, and subject to the conditions, set out in D.C. Official
22 Code § 47-825.01a(f), except that the reference to tax years shall be deemed to be a reference to
23 vault rent years, the reference to owner shall be deemed to be a reference to a responsible

1 condominium unit owners' association, and the reference to the owner's address of record shall
2 be deemed to be a reference to the responsible condominium unit owners' mailing address of
3 record as maintained by the Chief Assessor of the Office of Tax and Revenue of the Chief
4 Financial Officer.

5 “(c) Where vault rent is assessed against any owner other than a responsible
6 condominium owners' association, the Mayor may adjust any utilization factor or area of the
7 vault level under the circumstances, and subject to the conditions, set out in D.C. Official Code §
8 47-825.01a(f) except that the reference to tax years shall be deemed to be a reference to vault
9 rent years .”.

10 (c) Section 305 (DC Official Code § 10-1103.04) is amended as follows:

11 (1) Strike the phrase “shall pay the rent established in accordance with this part
12 for such vault. Such rent shall be payable annually for the year commencing July 1st and ending
13 on the following June 30th, and shall be payable in full prior to the beginning of such year” and
14 inserting the phrase “shall pay the rent established in accordance with this part for such vault and
15 any charges levied under § 308(a) of the Public Space Rental Act, approved October 17, 1968
16 (82 Stat. 1160; D.C. Official Code § 10–1103.07(a)). Such rent and charges shall be payable
17 annually for the vault rent year, and shall be payable in full on or before the later of 30 days after
18 the date the vault rent bill was mailed or September 15 of such vault rent year” in its place.

19 (2) In subsection (c), strike the sentence “Fuel oil tanks shall be considered as
20 single level vaults.”

21 (3) Add a new subsection (c-1) to read as follows:

22 “(c-1) Notwithstanding subsection (c) of this section, rent per fuel oil tank shall be

1 §100; provided, the Council may adjust the amount of rent per fuel oil tank pursuant to section
2 401.”.

3 (d) Section 305a (DC Official Code § 10-1103.04a) is amended by striking the word
4 “Mayor” and inserting the phrase “Chief Financial Officer” in its place wherever it occurs.

5 (e) Section 308 (DC Official Code § 10-1103.07) is amended as follows:

6 (1) A new subsection (a-1) is added to read as follows:

7 “(a-1) For vault years beginning after June 30, 2015, the Mayor shall take such action as
8 he in his discretion considers necessary or desirable to seal off, remove in whole or in part, fill,
9 reconstruct, repair or close a vault or vault opening, or perform any other service in connection
10 therewith. The Chief Financial Officer shall levy a charge against the abutting property for the
11 reasonable cost of such action by the Mayor.”.

12 (2) A new subsection (b-1) is added to read as follows:

13 “(b-1) For periods beginning after June 30, 2015, interest on unpaid vault rent and the
14 charges authorized under subsection (a) of this section shall accrue at the rate set forth in D.C.
15 Official § 47-811(c) per month or part thereof after the due date prescribed in § 305. Except as
16 provided in subsection (d) of this section, the abutting property for any vault located in the public
17 space shall be sold by the Chief Financial Officer at the tax sale held under Chapter 13A of Title
18 47 of the DC Code for vault rent, charges and interest that are delinquent as of the October 1st
19 before the tax sale. Notwithstanding any other provision of law, delinquent vault rent, charges
20 and interest shall not be required to be certified for purposes of the tax sale and the lien priority
21 of vault rents, charges and interest shall be immediately junior to real property taxes.”.

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

1 “(c) Payments shall be applied to the oldest vault year owed, and within such year first to
2 interest and then to charges and rent.”.

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

4 “(d) Where a responsible condominium unit owners’ association is billed for vault rent,
5 charges and interest, and the rent, charges and interest are not timely paid, the rent, charges and
6 interest shall constitute a delinquent tax to be collected against the condominium association in
7 accordance with Chapter 44 of Title 47 of the DC Code, notwithstanding section 104 of the
8 Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-
9 1901.04) or any other provision to the contrary. The liability shall follow to any subsequent or
10 successor condominium association or the resulting owners of any termination of the
11 condominium, as the case may be, notwithstanding any other law to the contrary.”.

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

13 “(e) The Chief Financial Officer may, in his or her discretion:

14 “(1) Waive in whole or in part interest assessed pursuant to the District of
15 Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official
16 Code § 10-1101 et seq.), when in his or her judgment, it would be equitable, just, or in the public
17 interest; and

18 “(2) Compromise any charge or vault rent assessed pursuant to the District of
19 Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official
20 Code § 10-1101 et seq.), when, in his or her judgment there is reasonable doubt as to the liability
21 of the owner against whom the vault rent was assessed or the collectability of the tax.”.

22 (f) A new subsection 311 (DC Official Code § 10-1103.10) is added to read as follows:

1 “Notwithstanding section 401, the Chief Financial Officer may, pursuant to the District of
2 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Code §
3 2-501 et seq.), promulgate rules related to the assessment and collection of rent and charges.”.

4 Sec. 603. Applicability.

5 (a) Section 602(a) – (e)(4) shall apply to vault years beginning after June 30, 2015.

6 (b) Section 602(e)(5) and (f) shall apply upon the effective date of this act.

7 **SUBTITLE B. PUBLIC SPACE RENTAL AMENDMENT**

8 Sec. 611. Short title.

9 This subtitle may be cited as the “Public Space Rental Amendment Act of 2014”.

10 Sec. 612. The District of Columbia Public Space Rental Act, approved October 17, 1968
11 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended as follows:

12 (a) Section 201 (D.C. Official Code § 10-1102.01) is amended as follows:

13 (1) Strike the phrase “The District of Columbia Council” in the first sentence and
14 insert the phrase “The Mayor” in its place.

15 (2) Strike the phrase “requiring the Council” in the first sentence and insert the
16 phrase “requiring the Mayor” in its place.

17 (3) Strike the phrase “the Council of the District of Columbia” in the second
18 sentence and insert the phrase “the Mayor” in its place.

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

20 “Sec. 202. Payments; refunds.

21 “(a) The Mayor shall adopt rules requiring the payment of rent and establishing the rate of
22 such rent for the use of public space authorized by this title. The rental rate may be a flat rate, a rate
23 based on square footage of public space rented, a rate based on the assessed value of the privately

1 owned property abutting such space, a combination thereof, or any other fair and equitable rate
2 established by the Mayor, and may vary by category of use, geographic area of the District, or other
3 factor established by the Mayor by rule.

4 “(b) Notwithstanding subsection (a) of this section, prior to July 1, 2015 the annual rent for
5 public space used as an unenclosed sidewalk cafe shall be \$5 per square foot and the annual rent for
6 public space used as an enclosed sidewalk cafe shall be \$10 per square foot; provided, that
7 beginning July 1, 2015, the annual rent for public space used as an unenclosed sidewalk cafe shall
8 be \$8.30 per square foot and the annual rent for public space used as an enclosed sidewalk cafe shall
9 be \$16.60 per square foot; provided further, that in fiscal year 2016 and beyond, the Mayor may
10 adjust the rent for both unenclosed and enclosed sidewalk cafes pursuant to subsection (a) of this
11 section.

12 “(c) If the Mayor requires a person using public space under the authority of this title to
13 vacate all or part of the space for which rent has been paid, the Mayor may refund so much of such
14 prepaid rent as may be represented by the amount of space so vacated and by the length of time
15 remaining in the period for which rent was paid.”.

16 (c) Section 304 (D.C. Official Code § 10-1103.03) is amended as follows:

17 (1) Amend the section title by striking the word “Council” and inserting the word
18 “Mayor” in its place.

19 (2) Strike the phrase “Council of the District of Columbia ” and insert the word
20 “Mayor” in its place.

21 (d) Section 401 (D.C. Official Code § 10-1104.01) is amended to read as follows:

22 “Sec. 401. Regulations.

1 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,
2 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to
3 implement the provisions of this act.”.

4 (e) Section 404 (D.C. Official Code § 10-1104.04) is amended to read as follows:

5 “Sec. 404. Penalties.

6 “Any person who violates a provision of this act may be punished by a fine not exceeding
7 \$1,000 or imprisonment for not more than 10 days for each day of such violation. In addition, such
8 rules as may be adopted by the Mayor under the authority of this act may provide for the imposition
9 of civil fines in such amounts as the Mayor may determine, which may be imposed for each and
10 every day public space is used or occupied in a manner prohibited by this act or the rules
11 promulgated pursuant to this act.”.

12 **SUBTITLE C. CAPITAL BIKESHARE CORPORATE SPONSORSHIP**
13 **ESTABLISHMENT**

14 Sec. 621. Short title

15 This subtitle may be cited as the “Private Sponsorship of Capital Bikeshare and Other
16 Transportation Facility and Equipment Amendment Act of 2014”.

17 Sec. 622. The Department of Transportation Establishment Act of 2002, effective May
18 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(4)), is amended as follows:

19 (a) Subparagraph (G)(iv) is amended by inserting the phrase “; provided, that proceeds
20 related to advertisements on bicycle sharing facilities or bicycle sharing bicycles shall be
21 deposited into the Bicycle Sharing Fund established by section 9f [9h]” before the period at the
22 end.

1 “(H) Enter into agreements to allow the private sponsorship of transportation facilities
2 and equipment under the control of DDOT, including bicycle sharing facilities and bicycle
3 sharing bicycles, , including placement of a corporate logo, slogan, or other indicia on the
4 facilities or equipment, on related websites, and on social media. All proceeds collected from a
5 private sponsorship agreement shall be deposited into the DDOT Enterprise Fund for
6 Transportation Initiatives, established by section 9e; provided, that proceeds related to corporate
7 sponsorship on bicycle sharing facilities or bicycle sharing bicycles shall be deposited into the
8 Bicycle Sharing Fund established by section 9f [9h].”.

9 **SUBTITLE D. DDOT MANAGED LANE AUTHORIZATION**

10 Sec. 631. Short title

11 This subtitle may be cited as the “District Department of Transportation Managed Lane
12 Authorization Act of 2014”.

13 Sec. 632. Section 5(2) of the Department of Transportation Establishment Act of 2002,
14 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(2)), is amended as
15 follows:

16 (a) Subparagraph (M) is amended by striking the word “and” at the end.

17 (b) Subparagraph (N) is amended by striking the period at the end and inserting the
18 phrase “; and” in its place.

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

20 “(O) Implement managed lane policies, including lane pricing, vehicle
21 eligibility, and access control; provided, that at least one lane of traffic on a street with managed
22 lanes shall be free of charge.”.

23 **SUBTITLE E. INTEGRATED PREMIUM TRANSIT SYSTEM AMENDMENT**

1 Sec. 641. Short title.

2 This subtitle may be cited as the “Integrated Premium Transit System Amendment Act of
3 2014”.

4 Sec. 642. The Department of Transportation Establishment Act of 2002, effective May
5 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*) (“Act”), is amended as
6 follows:

7 (a) A new section 1a is added to read as follows:

8 “Sec. 1a. Definitions.

9 “For the purposes of this act, the term:

10 “(1) “DC Streetcar system” means a fixed guideway transit network offering rail
11 passenger service operated by, or on behalf of, the District government.

12 “(2) “Integrated Premium Transit System” means an integrated transit system comprised
13 of any or all of the DC Streetcar system, bus service operated or managed by, or on behalf of, the
14 District government consistent with the Washington Metropolitan Area Transit Regulation
15 Compact (D.C. Official Code §§ 9-1103.01, 9-1103.02, and 9-1107.01), and facilities
16 appurtenant to the DC Streetcar system and such bus service, including buildings, other
17 structures, and parking areas.”.

18 (b) Section 5 (DC Code § 50-921.04) is amended as follows:

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

20 (A) Subparagraph (C) is amended by striking the word “and” at the end.

21 (B) Subparagraph (D) is amended by striking the period and inserting the phrase
22 “; and” in its place.

23 (C) A new subparagraph (E) is added to read as follows:

1 “(E) Plan, manage, and contract for all, or any part of, the design, engineering,
2 construction, operation and maintenance of any element of the Integrated Premium Transit
3 System.”.

4 (2) Paragraph (2) is amended as follows:

5 (A) Subparagraph (L) is amended by striking the phrase “Operate, develop, and
6 finance” and inserting the phrase “Operate, maintain, and regulate” in its place.

7 (B) Subparagraph (N) is amended by striking the phrase “Operate, develop,
8 regulate, and finance” and inserting the phrase “Operate, maintain, and regulate” in its place.

9 (c) Section 11b (DC Code § 50-921.32) is amended by striking the phrase “Plan,
10 develop, finance, operate, control, and regulate” and inserting the phrase “Plan, develop, operate,
11 control, and regulate” in its place.

12 (d) Section 11n (DC Code § 50-921.72) is amended as follows:

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

14 (B) Paragraph (2) is amended by striking the period and inserting the phrase “;
15 and” in its place;

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

17 “(3) Enter into contracts with third parties for the design, construction, operation
18 and maintenance of the DC Streetcar system.”.

19 Sec. 643. Section 5 of the District Department of Transportation DC Streetcar
20 Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; 60 DCR 1709), is
21 repealed.

22 Sec. 644. Section 47-392.02(f) of the District of Columbia Official Code is amended as
23 follows:

1 (a) Paragraph (5)(A) is amended to read as follows:

2 “(5)(A) Beginning in the fiscal year following the completion of the capital construction
3 of the Integrated Premium Transit System, all funds in the Pay-as-you-go Capital Account shall
4 be used for the purpose of reducing future District borrowing for capital purposes by using the
5 funds in the Pay-as-you-go Capital Account in lieu of proposed borrowing. Any use of these
6 funds must be accompanied by the certification of the Chief Financial Officer that the funds are
7 available in the Pay-as-you-go Capital Account and will be used to replace proposed District
8 Bonds (as defined in § 47-443(2)(C)) that otherwise would have been issued for those purposes
9 and that the District will not otherwise borrow such amounts for other purposes. Use of funds in
10 the Pay-as-you-go Capital Account will reduce an identical amount in the existing Capital
11 Improvements Program.”.

12 (b) A new Paragraph (6) is added to read as follows:

13 “(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the
14 Integrated Premium Transit System until the construction of the Integrated Premium Transit
15 System is complete.”.

16 (c) A new paragraph (7) is added to read as follows:

17 “(7) For the purposes of this subsection, the term:

18 “(A) “DC Streetcar” shall have the meaning set forth in section 1a(1) of the
19 Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-
20 137; to be codified);

21 “(B) “Integrated Premium Transit System” shall have the meaning set forth in section 1a
22 (2) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002
23 (D.C. Law 14-137; to be codified).”.

1 Sec. 645. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.
2 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

3 (a) Section 104 (D.C. Official Code § 2-351.04) is amended as follows:

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

5 “(2A) “Alternative technical concept” means a proposed change to an agency-
6 supplied base design configuration, project scope, design criterion, or construction criterion that
7 the agency determines is equal to or better than a requirement in a request for proposals.”.

8 (2) Paragraph (13) is amended to read as follows:

9 “(13) “Construction” means the process of building, altering, repairing,
10 improving, or demolishing any public infrastructure facility. The term “construction” shall not
11 include the routine operation, routine repair, or routine maintenance of an existing public
12 infrastructure facility.”.

13 (3) A new paragraph (37A) is added to read as follows:

14 “(37A) “Infrastructure facility” includes any public structure, public building, any
15 element of the Integrated Premium Transit System, as that term is defined in section 1a (2) of the
16 Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-
17 137; to be codified), and other public improvements of any kind to real property.”.

18 (b) Section 201(d) (D.C. Official Code § 2-352.01(d)) is amended by striking the phrase
19 “roads and bridges” and inserting the phrase “roads, bridges, other transportation systems, and
20 facilities and structures appurtenant to roads, bridges, and other transportation systems” in its
21 place.

22 (c) Section 403 (D.C. Official Code § 2-354.03) is amended by adding a new
23 subsection (d-1) to read as follows:

1 “(d-1) An RFP for the construction of a road, bridge, other transportation system,
2 or a facility or structure appurtenant to a road, bridge, or other transportation system, may allow
3 prospective offerors or contractors to submit alternative technical concepts as a part of their
4 proposals. The agency’s determination on the alternative technical concepts shall be considered
5 by the contracting officer as part of his or her evaluation and ranking of proposals.”.

6 **SUBTITLE F. PESTICIDE REGISTRATION FUND AMENDMENT**

7 Sec. 651. Short title

8 This subtitle may be cited as the “Pesticide Registration Fund Amendment Act of 2014”.

9 Sec. 652. Section 9a(c) of the Pesticide Education and Control Amendment Act of 2012,
10 effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12540) is amended by striking the word
11 “pesticide” and inserting the phrase “pesticide, chemical, tank, and land remediation programs”
12 in its place.

13 **TITLE VII. FINANCE AND REVENUE**

14 **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

15 Sec. 701. Short title.

16 This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2014”.

17 Sec. 702. The Tax Clarity Equity Act of 2013, effective February 22, 2014 (D.C. Law 20-
18 85; 61 DCR 184), is amended by adding a new section 3 to read as follows:

19 “Sec. 3. Applicability.

20 This act shall apply upon the inclusion of its fiscal effect in an approved budget and
21 financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in
22 a certification published by the Council in the District of Columbia Register.”.

1 Sec. 703. Section 3 of the Earned Sick and Safe Leave Amendment Act of 2013, effective
2 February 22, 2014 (D.C. Law 20-89; 61 DCR 317), is repealed.

3 Sec. 704. Section 3 of the Minimum Wage Amendment Act of 2013, effective March 11,
4 2014 (D.C. Law 20-91; 61 DCR __), is repealed.

5 Sec. 705. Section 501 of the Electric Company Infrastructure Improvement Financing
6 Act of 2014, enacted March 3, 2014 (D.C. Act 20-290; 61 DCR __), is repealed.

7 Sec. 706. Section 4(c) of the Small and Certified Business Enterprise Development and
8 Assistance Amendment Act of 2014, introduced on March 7, 2013 (D.C. Bill 20-181; 61 DCR
9 __), is repealed.

10 Sec. 707. Section 3 of the Senior Citizen Real Property Tax Relief Act of 2014, effective
11 March 25, 2014 (D.C. Bill 20-318; 61 DCR __), is repealed.

12 **SUBTITLE B. TAX REVISION COMMISSION RECOMMENDATIONS**
13 **IMPLEMENTATION**

14 Sec. 711. Short title.

15 This subtitle may be cited as the “Tax Revision Commission Policy Recommendations
16 Implementation Act of 2014”.

17 Sec. 712. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
18 follows:

19 (a) Section 47-1801.04(43) of the District of Columbia Official Code is amended as
20 follows:

21 (1) Strike the phrase “all gross” and insert the word “gross” in its place.

1 (2) Strike the phrase "section." and insert the phrase "section; provided, however, that
2 the term "sales" does not include receipts of a taxpayer from hedging transactions and from the
3 maturity, redemption, sale, exchange, loan or other disposition of cash or securities." in its place.

4 (b) Section 47-1806.03 is amended by adding a new paragraph (9) to read as
5 follows:

6 "(9) In the case of a taxable year beginning after December 31, 2014, there is
7 imposed on the taxable income of every resident a tax determined in accordance with the
8 following table:

9 If the taxable income is:	The tax is:
10 "Not over \$10,000	4% of the taxable income
11 "Over \$10,000 but not over \$40,000	\$400, plus 6% of the excess over
	\$10,000.
13 "Over \$40,000 but not over \$60,000	\$2,200, plus 7.5% of the excess over
	\$40,000
15 "Over \$60,000 but not over \$350,000.....	\$3,700, plus 8.5% of the excess over
	\$60,000
17 "Over \$350,000	\$28,350, plus 8.95% of the excess above
	\$350,000.".

19 (c) Section 47-1807.02(a) is amended by adding a new paragraph (5) to read as
20 follows:

21 "(5) For taxable years beginning after December 31, 2014, a tax at the rate of
22 9.4% upon the taxable income of every corporation, whether domestic or foreign.".

23 (d) Section 47-1808.01 is amended as follows:

1 (1) Paragraph (4) is amended by striking the word “or” at the end.

2 (2) Paragraph (5) is amended by striking the period and inserting the phrase “; or” in
3 its place.

4 (3) By adding a new paragraph (6) to read as follows:

5 “(6) A trade or business which arises solely by reason of the purchase, holding, sale
6 of, or the entering, maintaining, or terminating positions in, stocks, securities, or commodities for
7 the taxpayer's own account. This clause shall not apply to:

8 “(A) A taxpayer that holds property, or maintains positions, as stock in trade,
9 inventory, or for sale to customers in the ordinary course of the taxpayer's trade or business; or

10 “(B) A taxpayer that acquires debt instruments in the ordinary course of the
11 taxpayer's trade or business for funds loaned, or services rendered; or

12 “(C) A taxpayer that holds any of the following that is not traded on an
13 established securities market:

14 “(i) Stock in a real estate investment trust; or

15 “(ii) A partnership interest.”

16

17 (e) Section 47-1808.03(a) is amended by adding a new subsection (5) to read as
18 follows:

19 “(5) For taxable years beginning after December 31, 2014 a tax at the rate of
20 9.4% upon the taxable income of every unincorporated business, whether domestic or
21 foreign.”

22 (f) Section 47-1810.02 of the District of Columbia Official Code is amended
23 as follows:

1 (1) Subsection (d) is amended by striking the phrase “(d-1), all” and inserting
2 “(d-1) and (d-2), all” in its place.

3 (2) A new subsection (d-2) is added to read as follows:

4 “(d-2)(1) Apportionment of business income.--All business income shall be
5 apportioned to the District by multiplying the income by the sales factor.

6 “(2) This subsection shall be applicable for the taxable years beginning after
7 December 31, 2014.”.

8 (3) Subsection (g)(3) is amended to read as follows:

9 “(g)(3)(A) Sales, other than sales of tangible personal property pursuant to paragraph (2)
10 of this subsection, are in the District if the taxpayer’s market for the sales is in the District. The
11 taxpayer’s market for sales is in the District:

12 “(i) In the case of sale, rental, lease, or license of real property, if
13 and to the extent the property is located in the District;

14 “(ii) In the case of rental, lease, or license of tangible personal
15 property, if and to the extent the property is located in the District;

16 “(iii) In the case of sale of a service, if and to the extent the service
17 is delivered to a location in the District; and

18 “(iv) In the case of intangible property:

19 “(I) That is rented, leased, or licensed, if and to the extent
20 the property is used in the District; provided, that intangible property utilized in marketing a
21 good or service to a consumer is “used in the District” if that good or service is purchased by a
22 consumer who is in the District; and

23 “(II) That is sold, if and to the extent the property is used in

1 the District; provided, that:

2 “(a-i) A contract right, government license, or
3 similar intangible property that authorizes the holder to conduct a business activity in a specific
4 geographic area is “used in the District” if the geographic area includes all or part of the District;

5 “(b-i) Receipts from intangible property sales that
6 are contingent on the productivity, use, or disposition of the intangible property shall be treated
7 as receipts from the rental, lease, or licensing of such intangible property under subparagraph
8 (A)(iv)(I) of this subsection; and

9 “(c-i) All other receipts from a sale of intangible
10 property shall be excluded from the numerator and denominator of the sales factor.

11 “(B) If the state or states of assignment under subparagraph (A) cannot be
12 determined, the state or states of assignment shall be reasonably approximated.

13 “(C) If the taxpayer is not taxable in a state which a sale is assigned under
14 subparagraphs (A) or (B), or if the state of assignment cannot be determined under subparagraph
15 (A) or reasonably approximated under subparagraph (B), such sale shall be excluded from the
16 sales factor.

17 “(D) The Chief Financial Officer may prescribe regulations as necessary
18 or appropriate to carry out the purposes of this section.”.

19 (g) Section 47-1810.04(c) is amended by adding a new paragraph (2A) to read as follows:

20 “(2A) For taxable years beginning after December 31, 2014, the apportionment provisions
21 of § 47-1810.02(d-2) shall apply.”.

22 Sec. 713. Section 47-2001 of the District of Columbia Official Code is amended as
23 follows:

1 (a) Subsection (h-3) is repealed.

2 (b) Subsection (n)(2) is amended as follows:

3 (1) Subparagraph (I) is amended by striking the word “or” at the end .

4 (2) Subparagraph (J) is amended by striking the period at the end and inserting the phrase “or”
5 in its place.

6 (3) A new subparagraph is added to read as follows:

7 “(K) Sales of other tobacco products as defined in § 47-2401(5A) for sales made after
8 September 30, 2014.”

9 Sec. 714. Chapter 24 of Title 47 of the District of Columbia Official Code is amended as
10 follows:

11 (a) The title of Chapter 24 is amended to read “Tobacco Tax”.

12 (b) Section 47-2401 is amended as follows:

13 (1) The title is amended to read “Tobacco Tax”.

14 (2) Paragraph (2) is amended by inserting the phrase “or other tobacco products”
15 after the word “cigarettes”.

16 (3) Paragraph (5) is amended by striking the phrase “cigars,”.

17 (4) Paragraph (5A) is amended to read as follows:

18 “(5A) The term “other tobacco product” means any product containing, made or
19 derived from tobacco that is intended or expected to be consumed, except cigarettes and
20 premium cigars, as defined in this section. “Other tobacco product” does not include any
21 product that has been approved by the United States Food and Drug Administration for sale as a
22 tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and
23 is being marketed and sold solely for such an approved purpose.”.

1 (5) Paragraph (8) is amended by inserting the phrase “or other tobacco products”
2 after the word “cigarettes”.

3 (6) Paragraph (8A) is repealed.

4 (7) Paragraph (10) is amended by inserting the phrase “or other tobacco
5 products” after the word “cigarette”.

6 (8) Add a new Paragraph (11) to read as follows:

7 “(11) The term “wholesale price” means the price for which a licensed wholesaler
8 sells other tobacco products. The wholesale price includes the applicable federal excise tax,
9 freight charges, or packaging costs, regardless of whether they were included in the purchase
10 price, but excludes any discount, trade allowance, rebate, or other reduction.”.

11 (c) Section 47-2402 is amended by inserting “of cigarette tax” at the end of the title.

12 (d) Section 47-2402.01 is amended as follows:

13 (1) The title is amended to read “Tax on other tobacco products”.

14 (2) Subsection (a) is amended to read as follows:

15 “(a)(1)(A) A tax is levied and imposed on the sale or possession of other tobacco
16 products in the District.

17 “(B) Other tobacco products on which the taxes levied and imposed by
18 this section have been paid shall not be subject to additional taxation under this section;
19 provided, that the burden of proof that the taxes levied and imposed by this section have been
20 paid shall be upon the person who sells or possesses other tobacco products in the District,
21 against whom a tax assessment has been made, who has submitted an application for a refund,
22 or whose other tobacco products have been seized. For the purposes of this section, the term

1 "person" includes any officer or employee of a corporation responsible for payment of the tax,
2 or any member of a partnership or association responsible for the payment of the tax.

3 “(C) The tax rate for other tobacco products shall be equal to the cigarette
4 tax and surtax under DC Code §47- 2402(a)(1) & (2) on a pack of 20 cigarettes, expressed as a
5 percentage of the average wholesale price of a package of 20 cigarettes, for the March 31
6 preceding the September 1st announcement of the change in rates, or in the case of retailers
7 upon whom this tax is imposed, at a rate prescribed in regulations promulgated by the Mayor.
8 The first calculation shall be made and applicable for calendar quarters beginning after
9 September 30, 2014.

10 “(D) This rate shall be applied against gross receipts from sales of or
11 charges for such other tobacco products subject to the tax under this section.

12 “(2)(A) Beginning as of March 31, 2015, and on March 31st of each year
13 thereafter, the Mayor shall reevaluate the percentage calculation in paragraph (1) above on the
14 basis of the section 47-2402 cigarette tax and surtax to be effective on the following October 1st
15 on a pack of 20 cigarettes and shall recompute the tax rate on other tobacco products as defined
16 in this chapter.

17 “(B) The Mayor shall provide notice of any change in the tax rate for the
18 other tobacco products on or before September 1st of that year, and the change shall be effective
19 as of the following October 1st.”.

20 (e) Section 47-2403 is amended as follows:

21 (1) Subsection (a) is amended as follows:

22 (A) Paragraph (1) is amended by inserting the phrase “or other tobacco
23 products” after the word “cigarettes” where it appears.

1 (B) Paragraph (5) is amended by inserting the phrase “or other tobacco
2 products” after the word “cigarettes”.

3 (C) Add a new paragraph (6) to read as follows:

4 “(6) Possession of other tobacco products by licensed wholesalers for sale outside of
5 the limits of the District or for sale to other licensed wholesalers as provided for in § 47-
6 2402.01(g); sales of other tobacco products by licensed wholesalers to other licensed
7 wholesalers as provided for in § 47-2402.01(g); and possession by authorized licensed retailers
8 and vending machine operators of other tobacco products on which the tax rate for any other
9 state or jurisdiction has been paid, for sale in such other state or jurisdiction; provided, that such
10 authorized licensed retailers and vending machine operators are licensed under the laws of such
11 other state or jurisdiction to engage in the business of selling other tobacco products therein.”.

12 (2) Subsection (b) is amended by inserting “or other tobacco products” after
13 the word “cigarettes” wherever it appears.

14 (f) Section 47-2404(3)(B) is amended by inserting the phrase “or other
15 tobacco product” after the word “cigarette” wherever it appears.

16 (g) Section 47-2405 is amended as follows:

17 (1) The Section title is amended by inserting “and other tobacco products” at the
18 end.

19 (2) Subsection (a) is amended to read as follows:

20 “(a) Any person, other than a consumer, who transports cigarettes not bearing District
21 cigarette tax stamps or other tobacco products over the public highways, roads, streets,
22 waterways, or other public space of the District, shall have in his actual possession invoices or
23 delivery tickets for such cigarettes or other tobacco products, which show the true name and

1 address of the consignor or seller, the true name and address of the consignee or purchaser, and
2 the quantity and brands of the cigarettes or other tobacco products so transported.”.

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

4 “(b) If the cigarettes or other tobacco products are consigned to or purchased by any
5 person in the District, such purchaser or consignee must be a person authorized by this chapter
6 to possess unstamped cigarettes or untaxed other tobacco products in the District. If the invoice
7 or delivery ticket specifies that the cigarettes or other tobacco products are to be delivered to
8 any person in any state or jurisdiction other than the District, such person must be licensed
9 under the laws of such other state or jurisdiction to engage in the business of selling cigarettes
10 or other tobacco products therein. Any cigarettes or other tobacco products transported in
11 violation of any of the provisions of this section shall be deemed contraband cigarettes and
12 other tobacco products and such cigarettes or other tobacco products, the conveyance in which
13 such cigarettes or other tobacco products are being transported, and any equipment or devices
14 used in connection with, or to facilitate, the transportation of such cigarettes or other tobacco
15 products shall be subject to seizure and forfeiture as provided for in § 47-2409.”.

16 (h) Section 47-2408 is amended as follows:

17 (1) Subsection (b) is amended as follows:

18 (A) Paragraph (3)(B) is amended by inserting the phrase “or other tobacco
19 products” after the word “cigarettes”.

20 (B) Paragraph (4) is amended to read as follows:

21 “(4) Stop any conveyance that the Mayor has knowledge or reasonable cause to
22 believe is carrying more than 200 cigarettes or other tobacco products with a value exceeding
23 the wholesale price of 200 cigarettes and, upon presenting appropriate credentials to the

1 operator thereof, examine the invoices or delivery tickets for such cigarettes or other tobacco
2 products and inspect the conveyance for contraband cigarettes or other tobacco products.”.

3 (2)Subsection (c) is amended by inserting the phrase “or other tobacco
4 products” after the word “cigarettes” where it appears.

5 (3)Subsection (g) is amended by inserting the phrase “or other tobacco
6 products” after the word “cigarettes”.

7 (i) Section 47-2422(a) is amended by inserting the phrase “or other tobacco products”
8 after the word “cigarette”.

9 (j) Section 47-2425(b) is amended by inserting the phrase “or other tobacco products”
10 after the word “cigarettes” where it appears.

11 **SUBTITLE C. URBAN INSTITUTE REAL PROPERTY TAX ABATEMENT**

12 **REPEAL AND REAL PROPERTY TAX REBATE**

13 Sec. 721. Short title.

14 This subtitle may be cited as the "The Urban Institute Real Property Tax Abatement
15 Repeal and Real Property Tax Rebate Act of 2014".

16 Sec. 722. Repeal of Real Property Tax Abatement.

17 Section 47-4624 of the District of Columbia Official Code is repealed.

18 Sec.723. Real Property Tax Rebate.

19 (a) If The Urban Institute leases and occupies a building or portion thereof located in the
20 District of Columbia which is subject to real property taxation under Chapter 8 of Title 47, The
21 Urban Institute shall receive a rebate of its proportionate share of the real property tax incurred
22 by the lessor of the building, if:

1 (1) The Urban Institute is liable under the lease for its proportionate share of the
2 real property tax;

3 (2) It applies for the rebate of real property tax by September 15 of the calendar
4 year in which such tax was incurred by the lessor of the building; and

5 (3) The lessor paid the real property tax.

6 (b) The rebate shall be the amount of the portion of the real property tax passed through
7 to The Urban Institute under its lease with the lessor and paid to the lessor.

8 (c) The application for the rebate shall include:

9 (1) A copy of the lease with the lessor; and

10 (2) Documentation that the tax has been paid.

11 (d) If a proper application has been made, the Mayor shall rebate the tax on or before
12 December 31 of the same calendar year.

13 (e) The real property tax rebate established by this section shall begin no earlier than
14 January 1, 2015, and shall be effective for a 10-year period. The first year of the 10-year period
15 shall be the year that The Urban Institute occupies a building or portion thereof in the District
16 pursuant to a signed lease with the lessor of that building or portion. The amount of the rebate
17 shall not exceed one million dollars per tax year.

18 **SUBTITLE D. INDUSTRIAL REVENUE BOND SECURITY INTEREST**

19 **INSTRUMENT RECORDATION TAX EXEMPTION AMENDMENT**

20 Sec. 731. Short title.

21 This subtitle may be cited as the “Industrial Revenue Bond Security Interest Instrument
22 Recordation Tax Exemption Amendment Act of 2014”.

1 Sec. 732. Section 302 of the District of Columbia Deed Recordation Tax Act, approved
2 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

3 (a) Strike the word “and” at the end of paragraph (31).

4 (b) Strike the period at the end of paragraph (32) and insert the word “; and” in its place.

5 (c) Add a new paragraph (33) to read as follows:

6 “(33) A security interest instrument executed by a borrower in connection with a loan
7 under the Industrial Revenue Bond Forward Commitment Program authorized by D.C. Official
8 Code Subchapter II-B of Chapter 3 of Title 47; provided that, unless waived by regulation, a
9 certification by the Mayor that the instrument is entitled to this exemption accompanies the
10 instrument at the time it is presented for recordation.”.

11 **SUBTITLE E. FISCAL YEAR 2014 BUDGET SUPPORT ACT AMENDMENTS**

12 Sec. 741. Short title

13 This subtitle may be cited as the “Fiscal Year 2014 Budget Support Act Amendment Act
14 of 2014”.

15 Sec. 742. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24,
16 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

17 (a) Title I, Subtitle B is amended by striking “Innovation Fund” everywhere it appears
18 and inserting “City Fund” in its place.

19 (b) Section 3022 is repealed.

20 (c) Section 4092 is repealed.

21 (d) Section 4122 is repealed.

22 (e) Section 5153(c)(4)(6) is repealed.

23 (f) Section 7242 is repealed.

1 (g) Section 7243 is repealed.

2 (h) Section 7332 is repealed.

3 **SUBTITLE F. SENIOR CITIZEN REAL PROPERTY TAX RELIEF**

4 **AMENDMENT**

5 Sec. 751. Short title.

6 This subtitle may be cited as the “Senior Citizen Real Property Tax Relief Amendment
7 Act of 2014”.

8 Sec. 752. D.C. Official Code § 47-863(a) is amended by adding a new paragraph (6) to
9 read as follows:

10 “(6) “20 consecutive tax years” shall include no more than 2 nonconsecutive gaps of
11 ownership where each gap shall not exceed 120 days.”.

12 **SUBTITLE G. WHITMAN WALKER TAX ABATEMENT**

13 Sec. 761. Short title.

14 This subtitle may be cited as the “Whitman Walker Tax Abatement Act of 2014”.

15 Sec. 762. Chapter 46 of title 47 of the District of Columbia Official Code is amended as
16 follows:

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

19 "47-4662. Whitman-Walker Clinic, Inc; Lot 129, Square 241."

20 (b) A new section 47-4662 is added to read as follows:

21 "§47-4662. Whitman-Walker Clinic, Inc; Lot 129, Square 241.

22 "(a) Real property taxes assessed against Lot 129, Square 241 in excess of the amount
23 of real property taxes levied for tax year 2015 shall be abated to the extent that the excess is

1 allocable to the portion of the property leased to Whitman-Walker Clinic, Inc. ("Whitman-
2 Walker") under the terms of its lease, so long as such portion is leased to Whitman-Walker and is
3 used for the purposes stated above; provided that the benefit of this abatement shall be passed on
4 to Whitman-Walker in the form of reduced rent equal to the amount of the abatement.

5 "(b) Both Whitman-Walker and its landlord shall provide to the District of Columbia
6 Office of Tax and Revenue ("OTR"), at the time and in the manner directed by OTR, such
7 information as OTR may consider necessary to determine the amount of the abatement allowable
8 for a taxable year and to verify continued eligibility for the abatement.

9 "(c) The abatement provided under this section shall apply beginning with tax year
10 2015. If the property becomes ineligible for abatement, the abatement shall expire at the
11 beginning of the month following the month that the property becomes ineligible.

12 "(d) The foregoing tax rebate shall be in addition to, and not in lieu of, any other tax,
13 financial or development incentive, tax rebate or tax abatement, tax credit or any other incentive
14 of any type provided to Whitman-Walker under any District of Columbia or federal program."

15 **SUBTITLE H. ENCOURAGING ALTERNATIVE FUEL VEHICLES THROUGH**
16 **TAX INCENTIVES.**

17 Sec. 771. Short title.

18 This subtitle may be cited as the "Alternative Fuel Vehicle Conversion Act of 2014".

19 Sec. 772. Title IV of the District of Columbia Revenue Act of 1937, approved August 17,
20 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01 *et seq.*), is amended by adding a new
21 subsection (l) to section 2 (D.C. Official Code § 50-1501.2) read as follows:

1 “(1) Beginning January 1, 2018, the Mayor, or his designee, shall not register any motor
2 vehicle for operation within the District that was not previously registered within the District,
3 which operates exclusively on the combustion of petroleum diesel fuel.”.

4 Sec. 773. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
5 follows:

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

8 (1) “47-1806.12. Tax on residents and non-residents – Credits – Alternative
9 fuel vehicle conversion credit.”.

10 (2) “47-1807.10. Tax on corporations – Credits – Alternative fuel vehicle
11 conversion credit.”.

12 (3) “47-1808.10. Tax on unincorporated businesses – Credits – Alternative fuel
13 vehicle conversion credit.”.

14 (b) A new section 47-1806.12 is added to read as follows:

15 “§47-1806.12. Tax on residents and non-residents – Credits – Alternative fuel vehicle
16 conversion credit.

17 “(a) For the purposes of this section, the term “alternative fuel” means a fuel produced to
18 power a motor vehicle, which consists of one or more of the following:

19 “(1) At least 85% ethanol;

20 “(2) Natural gas;

21 “(3) Compressed natural gas;

22 “(4) Liquefied natural gas;

23 “(5) Liquefied petroleum gas;

1 “(6) 100% biodiesel, excluding kerosene;

2 “(7) Electricity provided by a vehicle charging station; or

3 “(8) Hydrogen.

4 “(b) For taxable years commencing with the taxable year beginning after December 31,
5 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
6 against the tax imposed by § 47-1806.03 a credit in the amount of 50% of the equipment and
7 labor costs directly attributable to the cost to convert a petroleum diesel or petroleum derived
8 gasoline fueled motor vehicle licensed in the District to a operate on an alternative fuel source.

9 “(c) The credit claimed under this section in any one tax year may not exceed the
10 taxpayer’s tax liability under § 47-1806.03 for that year and shall not be refundable.”.

11 (c) A new section 47-1807.10 is added to read as follows:

12 “§47-1807.10. Tax on corporations – Credits – Alternative fuel vehicle conversion credit.

13 “(a) For the purposes of this act, the term “alternative fuels” shall have the same meaning
14 set forth in section 47-1806.12 (a).

15 “(b) For taxable years commencing with the taxable year beginning after December 31,
16 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
17 against the tax imposed by §47-1807.02 a credit in the amount of 50% of the equipment and
18 labor costs directly attributable to the cost to convert a petroleum diesel or petroleum derived
19 gasoline fueled motor vehicle licensed in the District to a operate on an alternative fuel source.

20 “(c) The credit claimed under this section in any one tax year may not exceed the
21 taxpayer’s tax liability under §47-1807.02 for that year and shall not be refundable.”.

22 (d) A new section 47-1808.10 is added to read as follows:

1 “§47-1808.10. Tax on unincorporated businesses – Credits – Alternative fuel vehicle
2 conversion credit.”.

3 “(a) For the purposes of this act, the term “alternative fuels” shall have the same meaning
4 set forth in section 47-1806.12(a).

5 “(b) For taxable years commencing with the taxable year beginning after December 31,
6 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
7 against the tax imposed by §47-1808.03 a credit in the amount of 50% of the equipment and
8 labor costs directly attributable to the cost to convert a petroleum diesel or petroleum derived
9 gasoline fueled motor vehicle licensed in the District to a operate on an alternative fuel source.

10 “(c) The credit claimed under this section in any one tax year may not exceed the
11 taxpayer’s tax liability under §47-1808.03 for that year and shall not be refundable.”.

12 **SUBTITLE I. ENCOURAGING ALTERNATIVE FUEL INFRASTRUCTURE**
13 **INSTALLATION THROUGH TAX INCENTIVES.**

14 Sec. 781. Short title.

15 This subtitle may be cited as the “Alternative Fuel Infrastructure Incentive Act of 2014”.

16 Sec. 782. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
17 follows:

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

20 (1) “47-1806.12. Tax on residents and non-residents — Credits — Alternative
21 fuel infrastructure credit.”.

22 (2) “47-1807.10. Tax on corporations — Credits — Alternative fuel
23 infrastructure credit.”.

1 (3) “47-1808.10. Tax on unincorporated businesses — Credits — Alternative
2 fuel infrastructure credit.”.

3 (b) A new section 47-1806.12 is added to read as follows:

4 “§ 47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel
5 infrastructure credit.

6 “(a) For the purposes of this section, the term:

7 “(1) “Alternative fuel” means a fuel produced to power a motor vehicle, which
8 consists of one or more of the following:

9 “(A) At least 85% ethanol;

10 “(B) Natural gas;

11 “(C) Compressed natural gas;

12 “(D) Liquefied natural gas;

13 “(E) Liquefied petroleum gas;

14 “(F) 100% biodiesel, excluding kerosene;

15 “(G) Electricity provided by a vehicle charging station; or

16 “(H) Hydrogen.

17 “(2) “Eligible applicant” means a resident that is the owner or lessee of a qualified
18 alternative fuel vehicle refueling property.

19 “(3) “Qualified alternative fuel vehicle refueling property” means a property
20 within the District that is owned or leased by an eligible applicant and that contains equipment
21 used for storing and dispensing alternative fuels to power motor vehicles that is available for use
22 by the public.

1 “(b) For taxable years commencing with the taxable year beginning after December 31,
2 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
3 against the tax imposed on eligible applicant by §47-1806.03 a credit in the amount of 50% of
4 the equipment and labor costs directly attributable to the purchase and installation of alternative
5 fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle
6 refueling property.

7 “(c) The equipment and labor costs for which a tax credit may be claimed under this
8 section shall not include:

9 “(1) Costs associated with the purchase of land, or access to land, to be used as a
10 qualified alternative fuel vehicle refueling property;

11 “(2) Costs associated with the purchase of an existing qualified alternative fuel
12 vehicle refueling property; or

13 “(3) Costs for the construction or purchase of any structure.

14 “(d) The credit claimed under this section in any one tax year may not exceed the
15 taxpayer’s tax liability under §47-1806.03 for that year.

16 “(e) If the amount of the tax credit permitted under this section exceeds the tax otherwise
17 due under §47-1806.03, the amount of the credit not used may be carried forward for up to 2 tax
18 years. The credit shall not be refundable.

19 “(f) If the alternative fuel storage and dispensing equipment on a qualified alternative fuel
20 vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any
21 unused tax credit shall be forfeited and the taxpayer may not claim a tax credit under this
22 subsection for the portion of the tax year after the date on which the alternative fuel storage and
23 dispensing equipment is no longer used to dispense or sell alternative fuel to the public .”.

1 (c) A new section 47-1807.10 is added to read as follows:

2 “§47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

3 “(a) For the purposes of this section, the term:

4 “(1) “Alternative fuel” shall have the same meaning set forth in § 47-
5 1806.12(a)(1).

6 “(2) “Eligible applicant” means a corporation that is the owner or lessee of a
7 qualified alternative fuel vehicle refueling property.

8 “(3) “Qualified alternative fuel vehicle refueling property” shall have the same
9 meaning set forth in § 47-1806.12(a)(3).

10 “(b) For taxable years commencing with the taxable year beginning after December 31,
11 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
12 against the tax imposed on an eligible applicant by §47-1807.02 a credit in the amount of 50% of
13 the equipment and labor costs directly attributable to the purchase and installation of alternative
14 fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle
15 refueling property.

16 “(c) The equipment and labor costs for which a tax credit may be claimed under this
17 section shall not include:

18 “(1) Costs associated with the purchase of land, or access to land, to be used as a
19 qualified alternative fuel vehicle refueling property;

20 “(2) Costs associated with the purchase of an existing qualified alternative fuel
21 vehicle refueling property; or

22 “(3) Costs for the construction or purchase of any structure.

1 “(d) The credit claimed under this section in any one tax year may not exceed the
2 taxpayer’s tax liability under §47-1807.02 for that year.

3 “(e) If the amount of the tax credit permitted under this section exceeds the tax otherwise
4 due under § 47-1807.02, the amount of the credit not used may be carried forward for up to 2 tax
5 years. The credit shall not be refundable.

6 “(f) If the alternative fuel storage and dispensing equipment on a qualified alternative fuel
7 vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any
8 unused tax credit shall be forfeited and the taxpayer may not claim a tax credit under this
9 subsection for the portion of the tax year after the date on which the alternative fuel storage and
10 dispensing equipment is no longer used to dispense or sell alternative fuel to the public.”.

11 (d) A new section 47-1808.10 is added to read as follows:

12 “§47-1808.10. Tax on unincorporated business — Credits — Alternative fuel
13 infrastructure credit.

14 “(a) For the purposes of this section, the term:

15 “(1) “Alternative fuel” shall have the same meaning set forth in § 47-
16 1806.12(a)(1).

17 “(2) “Eligible applicant” means an unincorporated business that is the owner or
18 lessee of a qualified alternative fuel vehicle refueling property.

19 “(3) “Qualified alternative fuel vehicle refueling property” shall have the same
20 meaning set forth in § 47-1806.12(a)(3).

21 “(b) For taxable years commencing with the taxable year beginning after December 31,
22 2013 through the taxable year ending on or before December 31, 2026, there shall be allowed
23 against the tax imposed on an eligible applicant by §47-1808.03 a credit in the amount of 50% of

1 the equipment and labor costs directly attributable to the purchase and installation of alternative
2 fuel storage and dispensing or charging equipment on a qualified alternative fuel vehicle
3 refueling property.

4 “(c) The equipment and labor costs for which a tax credit may be claimed under this
5 section shall not include:

6 “(1) Costs associated with the purchase of land, or access to land, to be used as a
7 qualified alternative fuel vehicle refueling property;

8 “(2) Costs associated with the purchase of an existing qualified alternative fuel
9 vehicle refueling property; or

10 “(3) Costs for the construction or purchase of any structure.

11 “(d) The credit claimed under this section in any one tax year may not exceed the
12 taxpayer’s tax liability under §47-1808.03 for that year.

13 “(e) If the amount of the tax credit permitted under this section exceeds the tax otherwise
14 due under § 47-1808.03, the amount of the credit not used may be carried forward for up to 2 tax
15 years, consistent with subsection of this section. The credit shall not be refundable.

16 “(f) If the alternative fuel storage and dispensing equipment on a qualified alternative fuel
17 vehicle refueling property is no longer used to dispense or sell alternative fuel to the public, any
18 unused tax credit shall be forfeited and the taxpayer may not claim a tax credit under this
19 subsection for the portion of the tax year after the date on which the alternative fuel storage and
20 dispensing equipment is no longer used to dispense or sell alternative fuel to the public .”.

21 **SUBTITLE J. REAL PROPERTY TAX CALCULATED RATE CLARITY**

22 Sec. 791. Short title.

1 This subtitle may be cited as the “Real Property Tax Calculated Rate Clarity Act of
2 2014”.

3 Sec. 792. Section § 47-812 of the District of Columbia Official Code is amended as
4 follows:

5 (a) Subsection (b-8) is amended as follows:

6 (1) Paragraph (1)(A)(iv) is amended as follows:

7 (A) Sub-sub-subparagraph (I) is amended by striking the phrase “,as
8 certified in the latest revenue estimate,”.

9 (B) Sub-sub-subparagraph (II) is amended by striking the
10 phrase “Before September 16, 2009, and each anniversary thereafter” and inserting the phrase
11 “By January 5 of the tax year” in its place.

12 (2) Paragraph (2) is repealed.

13 (b) Subsection (b-9) is amended as follows:

14 (1) Paragraph (1)(A) is amended by striking the phrase “\$1.55” and inserting the
15 phrase “\$1.65” in its place.

16 (2) Paragraph (2) is amended as follows:

17 (A) Subparagraph (A)(i) is amended by striking the phrase “\$1.55” and
18 inserting the phrase “\$1.65” in its place.

19 (B) Subparagraph (B) is amended as follows:

20 (i) Sub-subparagraph (ii)(I) is amended by striking the word
21 “received” and inserting the phrase “estimated to be received” in its place.

22 (ii) Sub-subparagraph (ii)(II) is amended by striking the phrase
23 “for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value” and inserting

1 the phrase “in the tax year based upon the applicable rates in effect for Class 2 Properties during
2 the prior tax year” in its place.

3 (iii) Sub-subparagraph (iii) is amended by striking the phrase
4 “Before September 16 of each year” and inserting the phrase “By January 5 of each tax year” in
5 its place.

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

7 “(f) When the last day prescribed under this section for performing any act falls on
8 Saturday, Sunday, or a legal holiday, the performance of the act shall be considered timely if it is
9 performed on the next succeeding day which is not a Saturday, Sunday, or a legal holiday. For
10 the purposes of this section:

11 “(1) The last day for the performance of any act shall be determined by including
12 any authorized extension of time.

13 “(2) The term “legal holiday” means a legal holiday in the District of Columbia.”.

14 **SUBTITLE K. CARVER 2000 SENIOR MANSION REAL PROPERTY TAX**

15 **ABATEMENT AMENDMENT**

16 Sec. 7101. Short title.

17 This subtitle may be cited as the "Carver 2000 Senior Mansion Real Property Tax
18 Abatement Amendment Act of 2014".

19 Sec. 7102. Section 47-4605 of the District of Columbia Official Code is amended as
20 follows:

21 (a) Subsection (d) is amended as follows:

22 (1) Paragraph (2) is amended by striking the phrase “16”.

23 (2) Paragraph (3) is repealed.

1 **SUBTITLE L. RESIDENTIAL REAL PROPERTY EQUITY AND**
2 **TRANSPARENCY AMENDMENT**

3 Sec. 7111. Short title.

4 This subtitle may be cited as the “Residential Real Property Equity and Transparency
5 Amendment Act of 2014”.

6 **TITLE I. RESIDENTIAL REAL PROPERTY EQUITY AND TRANSPARENCY**

7 Sec. 101. Title 47 of the District of Columbia Official Code is amended as follows:

8 (a) Chapter 8 is amended as follows:

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

11 “47-805. Office of Real Property Tax Ombudsman.”.

12 (2) § 47-802(5) is amended as follows:

13 (A) Subparagraph (D) is amended by striking the word “or” at the end.

14 (B) Subparagraph (E) is amended by striking the period and inserting the
15 phrase “; or” in its place.

16 (C) A new subparagraph (F) is added to read as follows:

17 “(F) For purposes of appealing the assessment of real property sold under
18 § 47-1353(b), the tax sale purchaser or the purchaser’s assignee, as applicable; provided, that the
19 Mayor shall not be required to mail notices or bills issued under this chapter to such tax sale
20 purchaser or assignee; provided, further that the owner of record is not appealing the assessment
21 for the same tax year.”.

22 (3) A new section 47-805 is added to read as follows:

23 § 47-805. Office of Real Property Tax Ombudsman.

1 “(a) There is created within the Office of the Mayor an Office of the Real Property Tax
2 Ombudsman (“Office”), which shall be headed by the Real Property Tax Ombudsman
3 (“Ombudsman”) who shall be appointed by the Mayor pursuant to section 2(a) of the
4 Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-
5 523.01(a)), as a statutory employee in the Excepted Service pursuant to section 908 of the
6 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
7 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08). The Ombudsman shall serve at the
8 pleasure of the Mayor.

9 “(b) The Ombudsman shall appoint staff and additional personnel as provided for in an
10 approved budget and financial plan for the District.

11 “(c) The Ombudsman shall:

12 “(1) Consult with and advise Class 1 real property owners on any real property tax
13 matter arising under Chapters 8 or 13A of this title or under An Act To provide for the abatement
14 of nuisances in the District of Columbia by the Commissioners of said District, and for other
15 purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq.*);

16 “(2) Receive and investigate concerns and complaints from Class 1 real property
17 owners related to real property tax matters;

18 “(3) Provide counsel and assistance to Class 1 real property owners relating to
19 real property taxes, including referring Class 1 real property owners to appropriate:

20 “(A) Legal service providers;

21 “(B) Public interest organizations; and

22 “(C) Government offices.

1 “(4) Maintain a list of organizations that provide free or reduced-price legal
2 services to District of Columbia residents and a list of housing counseling agencies approved by
3 the U.S. Department of Housing and Urban Development;

4 “(5) Protect the confidentiality of records and comply with all applicable
5 confidentiality provisions, including § 47-821(d)(2); and

6 “(6) Prepare and submit to the Council and the Mayor an annual report on the
7 activities of the Office. The Mayor shall make the report available to the public on the Mayor’s
8 website.

9 “(d) The Ombudsman may assist an owner with matters concerning an abutting lot where
10 the abutting lot and the Class 1 property are owned by the same owner.

11 “(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any
12 court, administrative, or quasi-judicial proceeding.

13 “(f) The Office of the Chief Financial Officer may share confidential tax information
14 with the Ombudsman.

15 “(g) For purposes of this section, the term “Class 1 real property owner” shall have the
16 same meaning as contained in § 47-813(c-3)(1); provided, that the term owner as used in § 47-
17 813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as
18 well as other persons with an equitable interest in the property, and any other persons the
19 Ombudsman determines to be appropriate representatives of the property owner (or, if
20 applicable, the property owner’s estate), or any other persons the Ombudsman determines to be
21 consistent with the purposes of this section.

22 (4) Section 47-811(c) is amended by striking the phrase “plus interest on the unpaid
23 amount” and inserting the phrase “plus simple interest on the unpaid amount” in its place.

1 (5) Section 47-845.03 is amended as follows:

2 (A) Subsection (c) is amended to read as follows:

3 “(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per
4 month or portion of a month until paid.”.

5 (B) Subsection (g) is amended to read as follows:

6 “(g) If a properly completed and approved application is filed, the applicant may choose
7 to have the deferral apply to past years; provided, that the amount deferred shall comply with
8 subsection (d) of this section and the periods of applicability are stated in the application, and
9 provided further, that the applicant is responsible for accrued attorneys’ fees.”.

10 (C) Subsection (p) is repealed.

11 (6) Section 47-895.31(8) is amended to read as follows:

12 “(8) “Lot” means real property as defined in § 47-802(1) where such real property
13 for billing and collection purposes under this subchapter shall be further described with the
14 letters “PC” preceding the sequence of square, suffix and lot, or parcel and lot, numbers under §
15 47-802(1).

16 (7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as
17 follows:

18 “(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall
19 be mailed to the owner’s specifically designated mailing address as provided in the energy
20 efficiency loan closing documents and as may be updated from time to time by the Chief
21 Financial Officer, which may be different from the general mailing address provided pursuant to
22 section 499d of An Act To establish a code of law for the District of Columbia, effective October

1 23, 1997 (D.C. Law 12-34; D. C. Official Code § 42-405), or as provided in the transfer and
2 recordation tax return.”.

3 (b) Section 47-902 is amended by adding a new paragraph (25) to read as follows:

4 “(25) Transfers of property transferred to a named beneficiary of a revocable
5 transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective
6 March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq.*), by reason of the
7 death of the grantor of the revocable transfer on death deed.”.

8 (c) Chapter 13A is amended as follows:

9 (1) The table of contents is amended as follows:

10 (A) A new section designation is added to read as follows:

11 “47-1353.01. Post-sale notice.”.

12 (B) A new section designation is added to read as follows:

13 “47-1382.01. Equity distribution post-judgment – owner-occupant
14 properties.”.

15 (C) A new section designation is added to read as follows:

16 “47-1390. Office of Real Property Tax Sale Review.”.

17 (2) Section 47-1330 is amended as follows:

18 (A) Paragraph (2) is amended to read as follows:

19 “(2) “Tax” means unpaid real property tax and vault rent owing as of October 1,

20 and unpaid business improvement district tax owing as of September 1, including penalties,

21 interest, and costs, as calculated by the Mayor. The term “Tax” includes an assessment or charge

22 due at any time to the District and certified to the Mayor for collection under this chapter in the

1 same manner as a real property tax, along with permitted penalties, interest, and costs, as
2 calculated by the Mayor.”.

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

4 “(2A) “Tax sale date” or “date of the tax sale” means for purposes of the tax sale
5 held under § 47-1346 the date when the tax sale during which the real property was sold
6 concluded.”.

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

8 “(4A) “Premises address” means the address, if any, for the square, suffix,
9 and lot numbers, or parcel and lot numbers, of real property as reflected in the records in the
10 Office of Tax and Revenue.”.

11 (3) Section 47-1332 is amended to read as follows:

12 “§ 47-1332. Sale of properties by Mayor; exemptions from sale.

13 “(a) Except as provided in subsections (c) and (d) of this section or as provided in other
14 law, the Mayor shall sell all real property on which the tax is in arrears.

15 “(b) The Mayor shall designate a single agency to conduct tax sales.

16 “(c) The Mayor shall not sell any real property if:

17 “(1) A forbearance authorization has been approved in writing by the Mayor for
18 the applicable tax sale;

19 “(2) For improved Class 1 Property, the tax amount to be sold is less than \$2,500;
20 or

21 “(3) The real property is a Class 1 Property that is receiving a homestead
22 deduction, with respect to which there is an outstanding non-void certificate of sale; provided,

1 that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void
2 certificate of sale has been outstanding for 3 years or more.

3 “(d) The Mayor, in Mayor’s discretion, may decline to sell any Class 1 Property or any
4 real property for a delinquency in the payment of a non-real property tax that does not have to be
5 certified.

6 “(e)(1) An application for a forbearance authorization, utilizing the form of application as
7 shall be devised by the Mayor may be submitted to the Mayor up to 30 days before the first day
8 of the tax sale.

9 “(2) The Mayor shall review and approve or deny the application within 90 days
10 of receipt of the application.

11 “(3) The Mayor shall approve an application if the real property receives a
12 homestead deduction and the tax amount to be sold is less than or equal to \$7,500. The Mayor
13 may, in the Mayor’s discretion, approve an application that does not meet the above criteria for
14 demonstrated hardship.

15 “(4) Upon approving an application for forbearance authorization, the Mayor
16 shall remove the real property from the tax sale to which the forbearance corresponds or, if the
17 tax sale has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366.

18 (4) Section 47-1334 is amended to read as follows:

19 “47-1334. Interest rate.

20 “(a) The rate of simple interest on all amounts due, owing, or paid for the taxes
21 sold or bid off to the District under this chapter shall be 1.5% per month or portion thereof until
22 paid, excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus,

1 shall accrue at the applicable interest rate beginning the first day of the month following the tax
2 sale. No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

3 “(b) The purchaser shall receive simple interest of 1.5% per month or portion
4 thereof on the amount paid for the real property, excluding surplus, beginning on the first day of
5 the month immediately following when the real property was sold or the certificate of sale was
6 assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a),
7 by another purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as
8 provided in § 47-1354(b) for the period when such other taxes were paid. The purchaser shall
9 receive no interest for expenses or the reasonable value of improvements.

10 (5) Section 47-1336 is amended as follows:

11 (A) Subsection (a) is amended by adding the following sentence at the end:

12 “The special assessment shall be collectible under this chapter notwithstanding
13 any provision to the contrary granting a tax exemption, and the real property formerly described
14 under § 47-895.31(8) shall revert back to its description under § 47-802(1) for purposes of
15 collection under this chapter.”.

16 (B) Subsection (b)(2) is amended as follows:

17 (i) Strike the word “transaction” and insert the word “sale” in its
18 place.

19 (ii) Strike the phrase “§§ 47-1341 and 47-1342” and insert the phrase
20 “§§ 47-1341, 47-1342, and 47-1353.01” in its place.

21 (C) Subsection (e) is amended as follows:

1 (i) Paragraph (1) is amended by striking the phrase “contrary, ” and
2 inserting the phrase “contrary, provisions in this section excepted,” in its place.

3 (ii) Paragraph (2) is amended as follows:

4 (I) The lead-in language is amended by striking the phrase
5 “record owner” and inserting the phrase “record owner at the mailing address provided in § 47-
6 895.33(b-1)” in its place.

7 (II) Subparagraph (C) is amended by striking the word “and”.

8 (III) Subparagraph (D) is amended to read as follows:

9 “(D) Once the complaint is filed, expenses under § 47-1377 shall be
10 owed; and”.

11 (IV) A new subparagraph (E) is added to read as follows:

12 “(E) The real property is described under § 47-895.31(8) and
13 billed as such (with account number) for purposes of subchapter IX of Chapter 8 of this title and
14 the correlating description under § 47-802(1) (with square, suffix and lot numbers, or parcel and
15 lot numbers, as applicable) is under which the complaint shall be filed.”.

16 (6) Section 47-1340 is amended as follows:

17 (A) Subsection (a) is amended as follows:

18 (i) Strike the phrase “Each of the taxing” and insert the phrase
19 “Subject to the limitation set forth in section 104(a) of the District of Columbia Public Works
20 Act of 1954, approved May 18, 1954 (68 Stat. 102; D.C. Official Code § 34-2407.02), each of
21 the taxing” in its place.

1 (ii) Strike the phrase “notice of delinquency required by § 47-
2 1341” and insert the phrase “notices required by § 47-1341 and § 47-1353.01” in its place.

3 (B) Subsection (c) is amended to read as follows:

4 “(c) If a taxing agency does not certify a tax that is due to the District as of the date of
5 the Mayor’s notice under subsection (a) of this section, the tax shall not be collected through
6 such tax sale.

7 (C) Subsection (d) is amended by striking the phrase “Unpaid real
8 property taxes” and inserting the phrase “Unpaid real property taxes, business improvement
9 district taxes, and vault rents” in its place.

10 (D) Subsection (f) is amended to read as follows:

11 “(f) If a taxing agency certifies taxes (for which real property is offered for sale) to the
12 Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in
13 § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for such real property, or the
14 amount in the notices under § 47-1341 is paid prior to the tax sale, the taxing agency may submit
15 an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.
16 Upon receipt of the accounting and verification of the payment of taxes to the Mayor as specified
17 in § 47-1361(a) or if payment to the Mayor is made by a purchaser under § 47-1382(c), or the
18 amount in the notices under § 47-1341 is paid prior to the tax sale, the amount of taxes collected
19 that are not imposed under Chapter 8 of this title shall be disbursed regardless of lien priority
20 from the General Fund for the purpose designated by, and in accordance with, the law creating
21 the obligation for such taxes; provided, that, in the case of a sale under § 47-1353(b), the
22 disbursement shall be limited to the amount available after application of lien priorities to such
23 taxes before certification.”.

1 (7) Section 47-1341 is amended as follows:

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

3 “(a)(1) On or before May 1, the Mayor shall send a notice of tax
4 delinquency by first class mail, postage prepaid, bearing a postmark from the United States
5 Postal Service, to the person who last appears as the owner of the real property on the tax roll, at
6 the last mailing address shown on the tax roll, as updated by the filing of a change of address in
7 accordance with section 499d of An Act To Establish A Code of Law for the District of
8 Columbia, effective October 23, 1997 (D.C. Law 12-34; D.C. Official Code § 42-405). If the
9 premises address is different from the address of record of the owner, the Mayor shall send a
10 duplicate copy of the notice to the premises address, addressed to “Property Owner.”

11 “(2) The notice required pursuant to paragraph (1) of this subsection
12 shall be in substantively the following form:

13 **“THIS IS A NOTICE OF DELINQUENCY**
14 **“FAILURE TO PAY TAXES WILL HAVE SERIOUS CONSEQUENCES**

15
16
17 **“Subject Property:** [Identify by taxation square, suffix, and lot number, or parcel and lot
18 number, and by premises address, the real property to be sold]

19 **Total Amount Due on the Account:** \$.....

20
21 **“TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by May 31, 20__)**

22
23 *“This amount may include fees or fines due to other DC agencies that have been certified to the*
24 *Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code §47-1340.*

25
26 *“According to the Mayor's tax roll, you own or may have an interest in the real property listed*
27 *above. Notice is given that unless you pay the amount stated above or fall within one of the*
28 *limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property*
29 *at tax sale.*

30
31 **“If the property is sold at tax sale, the purchaser may have the right to file a**
32 **lawsuit to foreclose on the property.**

33
34 **“You must act now to avoid additional costs and significant expenses.**

1
2 “If payment is not made before May 31, 20__ , the amount listed on this notice may no longer be
3 accurate. In that case, you must contact the Office of Tax and Revenue at to obtain
4 an updated payoff amount.

5 “Payment to the “DC Treasurer” may be made online at www.taxpayerservicecenter.com or at
6 any DC branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the Office
7 of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-
8 8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of
9 your proof of payment in case there is a later dispute about the payment.

10
11 **“YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP**
12 **FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR**
13 **ADDITIONAL INFORMATION.**

14
15 “Should you have additional questions, please call OTR’s Customer Service Center at (202) 727-
16 4TAX (4829).

17 **“RESOURCES FOR REAL PROPERTY TAXPAYERS**

18 **IN THE DISTRICT OF COLUMBIA**

19
20 **“Real Property Tax Ombudsman.** Homeowners and other interested parties may be eligible for
21 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
22 related property tax matters, contact the Real Property Tax Ombudsman at

23 **“Office of Tax Sale Review.** If there are special circumstances that should keep the real property
24 out of the upcoming sale, contact the Office of Tax Sale Review at for information
25 on how to petition the Mayor to exempt the real property from sale.

26 **“Classification Disputes.** If your real property is classified as vacant or blighted and you believe
27 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
28 of Consumer and Regulatory Affairs at for information on how to appeal the property
29 classification.

30 **“Hardship Forbearance.** You may be eligible to defer, or postpone, payment of the past due
31 amount. For information on how to apply for this deferral, please contact the Office of Tax and
32 Revenue at.....

33 **“Senior Citizen and Low-Income Tax Relief.** Senior citizens and low-income households may
34 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
35 please contact the Office of Tax and Revenue at..... for more information.

36 **“Tax Sale Resource Center.** Resource Center attorneys provide legal information to taxpayers
37 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am

1 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
2 at 500 Indiana Ave. NW.

3 ***“Additional Legal Services.*** Free and reduced-cost legal services may be available to low- and
4 moderate-income households. You can get a list of service providers from the Real Property Tax
5 Ombudsman (above).

6 ***“Housing Counseling Services.*** The U.S Department of Housing and Urban Development
7 (“HUD”) sponsors housing counseling agencies throughout the country that can provide advice
8 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
9 approved housing counseling agencies from the Real Property Tax Ombudsman (above).”

10 (B) A new subsection (b-1) is added to read as follows:

11 “(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this
12 chapter, the Mayor shall send a final notice of delinquency, by first class mail, postage prepaid,
13 to the person who last appears as the owner of the real property on the tax roll, at the last address
14 shown on the tax roll, as updated by the filing of a change of address in accordance with section
15 499d of An Act To Establish A Code of Law for the District of Columbia, effective October 23,
16 1997 (D.C. Law 12-34; D.C. Official Code § 42-405). If the premises address is different from
17 the address of record of the owner, the Mayor shall send a duplicate copy of the notice to the
18 premises address, addressed to the “Property Owner.”

19 “(2) The notice required pursuant to paragraph (1) of this subsection shall
20 be in substantively the following form:

1
2 **“THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES**
3 **IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE**
4 **LOSS OF TITLE TO THE PROPERTY**

5 **“Subject Property:** [Identify by taxation square, suffix, and lot number, or parcel and lot
6 number, and by premises address, the real property to be sold]

7 **“Total Amount Due on the Account:** \$.....

8
9 **“TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by [Last Business**
10 **Day before tax sale]**

11
12 *“This amount may include fees or fines due to other DC agencies that have been certified to the*
13 *Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code §47-1340.*

14
15 *“According to the Mayor's tax roll, you own or may have an interest in the real property listed*
16 *above. Notice is given that unless you pay the amount stated above or fall within one of the*
17 *limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property*
18 *at tax sale.*

19
20 **“If the property is sold at tax sale, the purchaser may have the right to file a lawsuit**
21 **to foreclose on the property. You must act now to avoid additional costs and**
22 **significant expenses, as well as potential loss of title to the property.**
23

24 *“Payment to the “DC Treasurer” may be made online at www.taxpayerservicecenter.com, at any*
25 *DC branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the Office of*
26 *Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC 20090-*
27 *8095 (please write your square, suffix and lot numbers on the check). You should keep a copy of*
28 *your proof of payment in case there is a later dispute about the payment.*

29 **“If payment is made less than 10 calendar days before [the last business day before tax sale], you**
30 **must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure**
31 **that your property is removed from the tax sale.**

32 • *“You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or*
33 *HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the*
34 *Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC*
35 *20024.*

36 • *“Do not mail your paid receipt.*

37 **“YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP**
38 **FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR**
39 **ADDITIONAL INFORMATION.**
40

41 *“Should you have additional questions, please call OTR’s Customer Service Center at (202) 727-*
42 *4TAX (4829).*

43
44 **“RESOURCES FOR REAL PROPERTY TAXPAYERS**

1 **IN THE DISTRICT OF COLUMBIA**

2
3 **“Real Property Tax Ombudsman.** Homeowners and other interested parties may be eligible for
4 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
5 related property tax matters, contact the Real Property Tax Ombudsman at

6 **“Office of Tax Sale Review.** If there are special circumstances that should keep the real property
7 out of the upcoming sale, contact the Office of Tax Sale Review at for information
8 on how to petition the Mayor to exempt the real property from sale.

9 **“Classification Disputes.** If your real property is classified as vacant or blighted and you believe
10 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
11 of Consumer and Regulatory Affairs at for information on how to appeal the property
12 classification.

13 **“Hardship Forbearance.** You may be eligible to defer, or postpone, payment of the past due
14 amount. For information on how to apply for this deferral, please contact the Office of Tax and
15 Revenue at.....

16 **“Senior Citizen and Low-Income Tax Relief.** Senior citizens and low-income households may
17 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
18 please contact the Office of Tax and Revenue at..... for more information.

19 **“Tax Sale Resource Center.** Resource Center attorneys provide legal information to taxpayers
20 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am
21 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
22 at 500 Indiana Ave. NW.

23 **“Additional Legal Services.** Free and reduced-cost legal services may be available to low- and
24 moderate-income households. You can get a list of service providers from the Real Property Tax
25 Ombudsman (above).

26 **“Housing Counseling Services.** The U.S Department of Housing and Urban Development
27 (“HUD”) sponsors housing counseling agencies throughout the country that can provide advice
28 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
29 approved housing counseling agencies from the Real Property Tax Ombudsman (above).”.

30 (C) Subsection (b) is amended by striking the phrase “Failure of the
31 Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to
32 include” and inserting the phrase “Subject to the Mayor’s authority to cancel the sale under §

1 47-1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as
2 provided in subsections (a) and (b-1) of this section, or to include” in its place.

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

4 “(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt
5 from the notice requirements of this section.”.

6 (8) Section 47-1342 is amended as follows:

7 (A) Subsection (a) is amended by striking the phrase “the notice of
8 delinquency,” and inserting the phrase “the notice of delinquency required by section 47-
9 1341(a),” in its place.

10 (B) Subsection (b)(1)(A) is amended by striking the phrase “by taxation
11 square,” and inserting the phrase “by premises address, taxation square,” in its place.

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

13 “(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt
14 from the notice requirements of this section.”.

15 (9) Section 47-1343 is amended to read as follows:

16 “§ 47-1343. Real property to be sold in its entirety.

17 “Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall
18 be the parcel of real property as assessed in the assessment records under § 47-802(1) or as
19 described under or § 47-47-895.31(8) as related to a sale under § 47-1336.”.

20 (10) Section 47-1345 is amended to read as follows:

21 § 47-1345. Sale of real property subject to possessory interest.

1 “(a) Whether or not any real property subject to sale under this chapter is subject to an
2 estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the
3 Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of
4 the right of redemption, no claim for rent unpaid, due, or accruing before the date of the
5 judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

6 “(b) Notwithstanding subsection (a) of this section or any other provision to the contrary,
7 when a real property subject to sale under this chapter is subject to a ground lease and the ground
8 lessor is the District of Columbia, or an instrumentality of the District, the Washington
9 Metropolitan Area Transit Authority, or an entity whose real property is exempt from real
10 property taxation or the enforced collection thereof under the laws of the United States of
11 America, the Mayor shall sell the real property’s improvements only. Any additional
12 representation related to what is being sold shall be ineffectual and shall not affect the validity of
13 the sale.

14 “(c) The termination of claims on real property sold under this section shall not foreclose
15 any personal claims against previous holders of the interest sold for any damages including rent
16 unpaid, due, or accruing before the date of the judgment of foreclosure.”.

17 (11) Section 47-1346(a)(5) is amended to read as follows:

18 “(5)(A) A potential purchaser, including a natural person or business entity, who
19 is delinquent in payment of in rem taxes to the District or who has been convicted of a felony
20 involving fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real
21 property offered at a sale held under this chapter or otherwise acquire an interest in real property
22 sold under this chapter.

1 “(B) A potential purchaser, including a natural person or business entity,
2 shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not
3 more than one year in arrears in any jurisdiction in payment of in rem taxes not being contested
4 in good faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit,
5 moral turpitude, or anti-competitive behavior.

6 “(C) A certificate of sale held by a purchaser that willfully and materially
7 violates the provisions of this paragraph shall be voidable at the discretion of the Mayor;
8 provided, after the issuance of a final order by the Superior Court foreclosing the right of
9 redemption, the certificate is no longer voidable. A certificate that is voided by the Mayor
10 pursuant to this subparagraph shall be subject to the provisions of § 47-1355(b).

11 “(D) The intent of this paragraph shall not be circumvented by a purchaser
12 through the use of one or more business entities to avoid its intended application.

13 “(E) For purposes of this paragraph, a potential purchaser shall include a
14 person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or
15 more equity interest in real property on which taxes are delinquent.”.

16 (12) Section 47-1348 is amended as follows:

17 (A) Subsection (a) is amended as follows:

18 (i) Paragraph (3) is amended by striking the phrase “date of the
19 original public tax sale” and inserting the phrase “date of the tax sale” in its place.

20 (ii) Paragraph (4) is amended by striking the phrase “purchaser;”
21 and inserting the phrase “purchaser, which shall be the same date as in paragraph (3) of this
22 subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;”.

23 (iii) Paragraph (10) is amended to read as follows:

1 “(10) A statement that the rate of simple interest, upon redemption, shall be 1.5%
2 per month or portion thereof on the amount paid for the real property, excluding surplus,
3 beginning on the first day of the month immediately following the date of the tax sale or the date
4 when the certificate of sale was assigned by the Mayor.

5 (B) Subsection (b) is repealed.

6 (C)(i) Subsection (c) is amended as follows:

7 (I) Strike the phrase “telephone number.” and insert the phrase
8 “telephone number. If notice is not provided within 30 days of the assignment, the certificate
9 shall be voidable at the discretion of the Mayor.” in its place.

10 (II) Strike the phrase “On redemption, the purchaser will be refunded
11 the sums paid on account of the purchase price, together with interest thereon at the rate of 18%
12 per annum from the date the real property was sold to the date of redemption; provided, that the
13 purchaser shall not receive interest on any surplus.” and insert the phrase “Upon payment to the
14 Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another purchaser
15 under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the purchase
16 price, together with simple interest thereon at the rate of 1.5% per month or portion thereof on
17 the amount paid for the real property, excluding surplus, beginning on the first day of the month
18 immediately following the date of the tax sale or the date when the certificate of sale was
19 assigned by the Mayor until the payment to the Mayor is made as required under § 47-1361(a) or
20 § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus.” in its place.

21 (13) Section 47-1349(c) is amended by adding the following sentence at the end:

22 “If notice is not provided within 30 days of the assignment, the certificate shall be
23 voidable at the discretion of the Mayor; provided, after the issuance of a final order by the

1 Superior Court of the District of Columbia foreclosing the right of redemption, the certificate
2 shall be no longer voidable. A certificate that is voided by the Mayor pursuant to this subsection
3 shall be subject to the provisions of 47-1355(b).”.

4 (14) In section 47-1352(a), strike the phrase “from the date the real property was
5 bid off,” and insert the phrase “thereon accruing from the first day of the month following the
6 date of the tax sale where the real property was bid off,” in its place.

7 (15) Section 47-1353 is amended as follows:

8 (A) Subsection (a)(1)(B) is amended by striking the word “May” both
9 times it appears and inserting the word “Mayor” in its place.

10 (B) Subsection (b)(1)(G) is amended by striking the phrase “by square,”
11 and inserting the phrase “by premises address, taxation square,” in its place.

12 (C) Subsection (c) is amended as follows:

13 (i) Paragraph (2) is amended by striking the phrase “date of the
14 original tax sale” and inserting the phrase “applicable date of the tax sale” in its place.

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

16 “(3) Where it would otherwise be permitted, the Mayor or a purchaser
17 under this section may not file a complaint to foreclose the right of redemption until 30 days
18 after the posting required under § 47-1353.01.”.

19 (D) Subsection (d) is amended to read as follows:

20 “(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to
21 the Mayor is made by another purchaser as specified in § 47-1382(c), the purchaser shall be
22 refunded the sums paid on account of the purchase price, together with simple interest thereon at
23 the rate of 1.5% per month or portion thereof on the amount paid for the real property, excluding

1 surplus, beginning on the first day of the month immediately following the day of the tax sale to
2 the purchaser or the date when the certificate of sale was assigned by the Mayor until the
3 payment to the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the
4 purchaser shall not receive interest on any surplus.”.

5 (16)(A) A new section 47-1353.01 is added to read as follows:

6 “§ 47-1353.01. Post-sale notice.

7 “(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the
8 sale by first class mail, postage prepaid, bearing a postmark from the United States Postal
9 Service to the last known address of the owner. If the premises address is different from the
10 address of record of the owner, the Mayor shall send a duplicate copy of the notice to the
11 premises address, addressed to “Property Owner.”

12 “(b) The notice required pursuant to subsection (a) of this section shall be in substantively
13 the following form:

1
2
3 **“ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE**

4 **“Subject Property:** [Identify by taxation square, suffix, and lot number, or parcel and lot
5 number, and by premises address]

6 **“Tax Sale Date:** [July __, 20 __]

7 “

8 **If you do not pay all amounts due, the purchaser will have**
9 **the right to file a lawsuit to foreclose on the property**
10 **and you may lose title.**

11
12 “According to the Mayor’s tax roll, you own or may have an interest in the real property listed
13 above. **Please follow the below instructions to redeem your property from tax sale and**
14 **prevent a foreclosure lawsuit.**

- 15 • “To redeem your property from the tax sale, you must pay all taxes owed, as well as any
16 legal fees and expenses that may become due.
- 17 • “A tax bill is mailed to you during the last week of August. **You should pay the bill in full**
18 **and on time.**
- 19 • “If you are receiving this notice after October 31, 20__, or if you have not already paid your
20 tax bill in full, you should contact the Office of Tax and Revenue (“OTR”) at for a
21 current tax bill and up-to-date payoff amount.
- 22 • **“After you have paid your taxes, you should call OTR to confirm that you have**
23 **redeemed your property. Keep a copy of your proof of payment in case there is a later**
24 **dispute about the payment.**
- 25 • “If you have not paid all taxes within four months after the Tax Sale Date stated above, an
26 additional \$381.50 may be added to reimburse the purchaser for some costs.
- 27 • “If you do not redeem the property within six months of the Tax Sale Date stated above, the
28 tax sale purchaser may file a lawsuit against you to obtain title to the property.
- 29 • **“If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and**
30 **expenses that may total thousands of dollars. You may also lose title to the property.**
- 31 • “For further information on how to redeem, please read our *Real Property Owner’s Guide*
32 *to the Tax Sale Redemption Process*, available on our Web site at
33 www.taxpayerservicecenter.com by clicking on “Real Property.” You may also request a
34 copy by visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite
35 270W, Washington, DC 20024.

36 **“YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE.**
37 **SEE THE NEXT PAGE FOR MORE INFORMATION.**
38

1 “Should you have additional questions, please call OTR’s Customer Service Center at (202) 727-
2 4TAX (4829).
3

4 **“RESOURCES FOR REAL PROPERTY TAXPAYERS**
5 **IN THE DISTRICT OF COLUMBIA**

6 **“Real Property Tax Ombudsman.** Homeowners and other interested parties may be eligible for
7 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
8 related property tax matters, contact the Real Property Tax Ombudsman at

9 **“Office of Tax Sale Review.** If there are special circumstances that should have kept the real
10 property from being included in the tax sale, contact the Office of Tax Sale Review at
11 for information on how to petition the Mayor to cancel the sale.

12 **“Classification Disputes.** If your real property is classified as vacant or blighted and you believe
13 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
14 of Consumer and Regulatory Affairs at for information on how to appeal the property
15 classification.

16 **“Hardship Forbearance.** You may be eligible to defer, or postpone, payment of the past due
17 amount. For information on how to apply for this deferral, please contact the Office of Tax and
18 Revenue at.....

19 **“Senior Citizen and Low-Income Tax Relief.** Senior citizens and low-income households may
20 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
21 please contact the Office of Tax and Revenue at..... for more information.

22 **“Tax Sale Resource Center.** Resource Center attorneys provide legal information to taxpayers
23 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am
24 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
25 at 500 Indiana Ave., NW.

26 **“Additional Legal Services.** Free and reduced-cost legal services may be available to low- and
27 moderate-income households. You can get a list of service providers from the Real Property Tax
28 Ombudsman (above).

29 **“Housing Counseling Services.** The U.S Department of Housing and Urban Development
30 (“HUD”) sponsors housing counseling agencies throughout the country that can provide advice
31 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
32 approved housing counseling agencies from the Real Property Tax Ombudsman (above).

33 “(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of
34 this section to be posted on a place on the premises of the real property where it may be

1 conveniently read. The copy of the notice shall be posted no sooner than 4 months after the date
2 of the tax sale but at least 45 days before the filing of a complaint under § 47-1370.

3 “(d) Subject to the Mayor’s authority to cancel the sale under § 47-1366(b)(3)(A) and
4 (B), the failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this
5 section, or to include any taxes in the notice, shall not:

6 “(1) Invalidate or otherwise affect a tax;

7 “(2) Invalidate or otherwise affect a sale made under this chapter to enforce
8 payment of taxes;

9 “(3) Prevent or stay any proceedings under this chapter; or

10 “(4) Affect the title of a purchaser.

11 “(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt
12 from the notice requirements of this section.”.

13 (17) Section 47-1354(b) is amended to read as follows:

14 “(b) Upon payment as specified in § 47-1361(a) or by another purchaser under §
15 47-1382(c), the purchaser shall receive a refund of its payment made under this section, with
16 interest as required to be paid by the redeemer or such other purchaser. The purchaser shall
17 receive interest only on the principal tax amount paid and not on the interest or penalties paid.
18 The purchaser is entitled to the refund only if the purchaser’s certificate of sale is not void and
19 the purchaser provides proof satisfactory to the Mayor that the purchaser made the payment.

20 (18) Section 47-1355(a)(2) is repealed.

21 (19) Section 47-1361 is amended as follows:

22 (A) Subsection (a) is amended as follows:

1 (i) The lead-in text is amended by striking the phrase “the Mayor,
2 for deposit” and inserting the phrase “the Mayor, except as set forth in paragraph (6A) of this
3 subsection, for deposit” in its place.

4 (ii) Paragraphs (2) and (3) are amended to read as follows:
5 “(2) If the real property was bid off to the District, the sale amount with interest
6 thereon beginning on the first day of the month following the **date** of the tax sale where the real
7 property was bid off;

8 “(3) If the real property was bid off to the District and subsequently sold or the
9 certificate of sale assigned to a purchaser:

10 “(A) The original sale amount with interest thereon beginning on the first
11 day of the month following the **date** of the tax sale where the real property was bid off; plus

12 “(B) Interest accruing thereafter on the sale amount in subparagraph (A) of
13 this paragraph from the first day of the month following the date the real property was
14 subsequently sold or the certificate of sale assigned to the purchaser;”.

15 (iii) Paragraph (4) is amended by striking the phrase “taxes
16 provided, that the certificate of sale of the purchaser is not void;” and inserting the phrase
17 “taxes;” in its place.

18 (iv) Paragraph (5) is amended to read as follows:

19 “(5) All other real property taxes, business improvement district
20 taxes, and vault rents to bring the real property current; provided, that any such amounts that
21 become due and owing after receipt of the payment that permits a refund to issue to the
22 purchaser under subsection (e) of this section shall not be required to be paid to redeem the real
23 property;”.

24 (v) A new paragraph (5A) is added to read as follows:

1 “(5A) Any delinquent special assessment owed pursuant to an
2 energy efficiency loan agreement under subchapter IX of Chapter 8 of Title 47; provided, that
3 any such assessment that becomes due and owing after receipt of the payment that permits a
4 refund to issue to the purchaser under subsection (e) of this section shall not be required to be
5 paid to redeem the real property;”.

6 (vi) Paragraph (6) is amended to read as follows:

7 “(6) All expenses for which each purchaser is entitled to
8 reimbursement under § 47-1377(a)(1); and”.

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

10 “(6A) Where an action to foreclose the right of redemption has
11 been properly filed, the person redeeming shall pay directly to the applicable purchaser all
12 expenses to which such purchaser is entitled to reimbursement under § 47-1377(a)(2); and”.

13 (viii) Paragraph (7) is repealed.

14 (B) New subsections (b-1) and (b-2) are added to read as follows:

15 “(b-1) The redeeming party shall not be required to pay any tax that is
16 required to be certified by § 47-1340 unless such tax has been certified by a taxing agency and
17 sold as a lien at a tax sale.

18 “(b-2) Notwithstanding subsection (a) of this section, the remaining
19 amounts that are payable to the Mayor, including tax, interest, penalties and expenses, for the
20 real property shall be deemed to have been brought current for purposes of redemption if, at any
21 time, the balance falls below \$100; provided, that such remaining balance shall remain due and
22 owing and any remaining expense shall be thereafter deemed a real property tax.”.

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

1 (D) Subsection (d) is amended to read as follows:

2 “(d)(1) Subject to the liability threshold set forth in subsection (b-1) of this section, after
3 receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall
4 notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to
5 which the purchaser is entitled, subject to the purchaser’s compliance with all procedures for
6 issuance of the refund, as may be established by the Mayor.

7 “(2) If a complaint under § 47-1370 has been properly filed, a purchaser may
8 continue to prosecute the complaint until receipt of the expenses owed to the purchaser and
9 payable to the purchaser by the redeeming party as set forth in subsection (a)(6A) of this section,
10 but shall dismiss the complaint upon receipt thereof.

11 “(3) A complaint to foreclose the right of redemption shall not be maintained
12 solely to await the administrative refund under this subsection.

13 “(4) Notification by the Mayor under this subsection may be accomplished by
14 making the information publicly available through an electronic medium, including by posting
15 on a website.”.

16 (E) Subsection (e) is amended as follows:

17 (I) Strike the phrase “Upon request and subject to the
18 payment of a fee,” and insert the phrase “Upon request, within 60 days of the request,” in its
19 place.

20 (II) Add the following sentence at the end:

21 “The Recorder of Deeds shall waive all fees relating to the
22 recordation of a certificate of redemption.”.

23 (F) A new subsection (f) is added as follows:

1 “(f) The Mayor may abate interest or penalties, or compromise taxes, whether arising
2 before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that the
3 abatement or compromise shall not affect the refund due to the purchaser.”.

4 (20) Section 47-1362 is amended as follows:

5 (A) Subsection (a) is amended by striking the phrase “If the real
6 property is redeemed after an action to foreclose the right of redemption is filed and there is a
7 dispute regarding redemption, the” and inserting the phrase “If there is a dispute regarding
8 redemption after an action to foreclose the right of redemption is filed, the” in its place.

9 (B) Subsection (c) is repealed.

10 (21) Section 47-1363(a) is amended by striking the phrase “date of the sale” and
11 inserting the phrase “date of the tax sale” in its place.

12 (22) Section 47-1366 is amended to read as follows:

13 § 47-1366. Cancellation of sale by Mayor.

14 “(a) The Mayor, in the Mayor’s discretion, may cancel a sale before the issuance of a
15 final order by the Superior Court of the District of Columbia foreclosing the right of redemption
16 to prevent an injustice to the owner or person with an interest in the real property.

17 “(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior
18 Court of the District of Columbia foreclosing the right of redemption where:

19 “(1) The record owner or other interested party timely pays the amount set forth in
20 the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise pays
21 the outstanding taxes before the tax sale;

22 “(2) The real property meets the qualifications to be exempt from sale under § 47-
23 1332(c);

1 “(3) In a sale involving Class 1 property with 5 or fewer units that a record owner
2 (or a person with an interest in the property as heir or beneficiary of the record owner, if the
3 record owner is deceased) occupies as his or her principal residence, the record owner or other
4 interested person proves:

5 “(A) A failure of the Mayor to mail any of the notices required by §§ 47-
6 1341(a), 47-1341(b), or 47-1353.01; or

7 “(B) That the mailing address of the person who last appears as the record
8 owner of the real property on the tax roll, as properly updated by the record owner by the filing
9 of a change of address with the Office of Tax and Revenue in accordance with section 499d of
10 An Act To Establish A Code of Law for the District of Columbia, effective October 23, 1997
11 (D.C. Law 12-34; D.C. Official Code § 42-405), was not correctly or substantively updated by
12 the Office of Tax and Revenue notwithstanding proper filing; or

13 “(4) A properly filed application for a forbearance authorization was filed at least
14 30 days before the sale and was approved within 60 days after the sale.

15 “(c) Subject to the limitations set forth in § 47-1377(b), (b-1), (c) and (d), if the Mayor
16 cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the
17 purchaser would have received if the real property had been redeemed, but no part of such
18 amount shall be considered a payment of tax on behalf of the real property. A certificate of
19 redemption, if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds
20 for no fee.”.

21 (23) Section 47-1370 is amended as follows:

22 (A) Subsection (a) is amended by striking the phrase “date of sale” and
23 inserting the phrase “date of the tax sale” in its place.

1 (B) Subsection (c) is amended by adding a new paragraph (4) to read as
2 follows:

3 “(4) Proof of the posting required under § 47-1353.01 shall be attached to and
4 made part of the complaint. The posting shall be held to the same standard as the proof of
5 posting required under § 47-1372(f).”.

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

7 “(e) The purchaser shall immediately notify the Chief Financial Officer and the Real
8 Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this
9 section.”.

10 (24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as
11 follows:

12 “(2A) The plaintiff shall certify to the Superior Court of the District of Columbia,
13 under penalties of perjury, that a search was conducted for the record owner in bankruptcy
14 records.”.

15 (25) Section 47-1372(a)(1)(C) is amended by striking the phrase “date of sale”
16 and inserting the phrase “date of the tax sale” in its place.

17 (26) Section 47-1374 is amended as follows:

18 (A) Subsection (c) is amended by striking the third sentence in its entirety.

19 (B) Subsection (e) is amended to read as follows:

20 “(d)(1) A final judgment may not be entered earlier than the later of:

21 “(A) One year following the initial scheduling conference in the
22 foreclosure action; or

1 “(B) Four months following the completion of service on the owner and
2 all parties identified as defendants in § 47-1371.

3 “(2) Paragraph (1) of this subsection shall not apply to any final judgment in
4 which all interested parties have disclaimed any interest in the property subject to the judgment
5 or in a case where a real property was sold under § 47-1353(a)(3) or (b).”.

6 (27) Section 47-1377 is amended as follows:

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

8 “(a) Except as provided in subsection (b) of this section, upon redemption, a purchaser is
9 entitled to be reimbursed by the redeeming person for the following expenses incurred in an
10 action, or in preparation for an action, to foreclose the right of redemption:

11 “(1) If an action to foreclose the right of redemption has not been filed and the
12 property is redeemed more than 4 months after the applicable tax sale’s tax sale date, the
13 purchaser may be reimbursed for the following pre-complaint legal expenses:

14 “(A) The amount of \$50 for any posting required by § 47-1353.01;

15 “(B) Costs for recording the certificate of sale; and

16 “(C) A title search, not to exceed \$300; and

17 “(2) If an action to foreclose the right of redemption has been filed, the purchaser
18 may also be reimbursed for:

19 “(A)(i) Reasonable attorneys’ fees as follows:

20 “(I) In cases in which the property is redeemed before the
21 fifth status hearing, reasonable attorneys’ fees not to exceed \$1,500;

22 “(II) In cases requiring 5 or more status hearings,

1 reasonable attorneys' fees not to exceed \$1500, plus \$75 for the fifth status hearing and each
2 additional status hearing thereafter; and

3 “(III) In cases in which a motion for judgment is filed with
4 the court, additional attorneys' fees in the amount of \$300.

5 “(ii) In calculating the number of hearings in a case, any status
6 hearing held before the redeeming party was served shall be excluded from the calculation.

7 “(iii) For purposes of this paragraph, an initial scheduling
8 conference shall be deemed a status hearing.

9 “(iv) Nothing in this paragraph shall be construed as prohibiting
10 the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible
11 for under this section.

12 “(B) Notwithstanding subparagraph (A) of this paragraph, in cases
13 requiring prolonged or complex representation not typically necessary to resolve an action filed
14 under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses
15 under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by
16 the purchaser and approved by the court, on a case by case basis; provided, that additional
17 attorneys' fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-1366, or
18 where a purchaser is required to show good cause under subsection (c) of this section; and

19 “(C) Expenses actually incurred as follows:

20 “(i) Filing fee charged by the Superior Court of the District of
21 Columbia;

22 “(ii) Service of process fee, including fees incurred attempting to
23 serve process;

1 “(iii) If a second title search is conducted more than 6 months after
2 the initial title search, a title search update fee, not to exceed \$75;

3 “(iv) Publication fee charged by a newspaper of general circulation
4 in the District;

5 “(v) Posting fees;

6 “(vi) Postage and certified mail costs;

7 “(vii) Substantial repair order fee, not to exceed the fee charged by
8 the government agency issuing the certificate of substantial repair; and

9 “(viii) Any court approved expense for stabilization or conversion
10 of, or to make safe and compliant with An Act To provide for the abatement of nuisances in the
11 District of Columbia by the Commissioners of said District, and for other purposes, approved
12 April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01, *et seq.*), the property under § 47-
13 1363 or to comply with an action taken against the property by the Mayor in accordance with the
14 applicable building, fire, health, or safety codes.”.

15 (B) Subsection (b) is amended to read as follows:

16 “(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within
17 4 months after the date of the tax sale. A purchaser other than the District shall not be
18 reimbursed for any expenses if the certificate becomes void under this chapter.”.

19 (C) A new subsection (b-1) is added to read as follows:

20 “(b-1) The purchaser shall not be entitled to be reimbursed for any expenses or attorney’s
21 fees not included in this section. Expenses or attorneys’ fees incurred by a purchaser who
22 appeals the assessment or the vacant status of the property are not reimbursable.”.

23 (D) New subsections (c) and (d) are added to read as follows:

1 “(c) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or
2 fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be
3 entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that
4 upon a showing to the Superior Court of the District of Columbia of good cause for the failure to
5 meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled
6 to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section,
7 that the Superior Court of the District of Columbia considers reasonable.

8 “(d) Notwithstanding subsection (c) of this section, the purchaser shall not be entitled to
9 reimbursement of the expenses permitted under subsection (a)(2) of this section if the purchaser
10 fails to disclose to the Mayor, before the filing of a complaint to foreclose the right of
11 redemption, information that is obtained or should have been obtained from the pre-complaint
12 investigation, including the title examination and review of bankruptcy records under § 47-
13 1371(b)(2) and (2A), relating to a violation of § 47-1332(c)(3), a violation of bankruptcy law, or
14 errors in ownership information or other discrepancies that may affect the validity of the tax sale.
15 A purchaser shall not file a complaint to foreclose the right of redemption within 45 days of the
16 disclosure to the Mayor unless the Mayor informs the purchaser in writing that the tax sale will
17 not be cancelled under § 47-1366; provided, the purchaser shall not be prevented from filing a
18 complaint if necessary to maintain the validity of its certificate, but shall not be entitled to
19 reimbursement of any legal fees incurred in relation to such filing if the Mayor cancels the tax
20 sale under § 47-1366 within 45 days of the disclosure.”.

21 (28) Section 47-1380(d) is amended by striking the phrase “the sale.” and
22 inserting the phrase “the sale and the purchaser shall not receive any amounts otherwise due
23 under this chapter.” in its place.

1 (29) Section 47-1382(a) is amended as follows:

2 (A) The lead-in text is amended by striking the phrase “A final” and
3 inserting the phrase “Except as provided in § 47-1382.01, a final” in its place.

4 (B) Paragraph (1) is amended to read as follows:

5 “(1) A taxing agency lien that is recorded in the Office of the Recorder of
6 Deeds;”.

7 (C) Paragraph 4 is amended by striking the word “and”.

8 (D) Paragraph (5) is amended by striking the period and inserting the
9 phrase “; and” in its place.

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

11 “(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement,
12 or other instrument, and any other document incorporated by reference into a recorded covenant,
13 agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party
14 or beneficiary.”.

15 (30) A new section 47-1382.01 is added to read as follows:

16 “§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

17 “(a) This section shall apply to any Class 1 property with 5 or fewer units in which a
18 record owner (or a person with an interest in the property as heir or beneficiary of the record
19 owner, if deceased), was occupying as his or her principal residence when the complaint to
20 foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing
21 that this section is not applicable to the real property.

1 “(b) Upon issuing a final judgment foreclosing the right of redemption, the
2 Superior Court of the District of Columbia shall appoint a trustee and shall order that the trustee
3 sell the property pursuant to Rule 308 of the D.C. Rules of Superior Court, Rules of Civil
4 Procedure, or its equivalent.

5 “(c) The trustee shall sell a fee simple interest in the property, subject to the
6 encumbrances set forth in § 47-1382(a).

7 “(d) The court shall order the trustee to distribute the proceeds of the sale in
8 priority order as follows:

9 “(1) Reasonable compensation and reasonable expenses due to the trustee
10 or to any other person (including an auctioneer) who provided services relating to the sale of the
11 property, and all other payments the court deems to have been necessary to effect the sale of the
12 real property, including recordation and transfer taxes;

13 “(2) Payment to the Mayor of:

14 “(A) All amounts payable to the Mayor for deposit into the General
15 Fund of the District of Columbia under § 47-1361 as of the date of the court’s order regarding
16 distribution;

17 “(B) Any promissory note executed pursuant to § 47-1353(a)(3);

18 and

19 “(C) Any lien certified under § 47-1340;

20 “(3) Payment to the purchaser of all amounts provided for in § 47-1377, as
21 fixed by the court; and

22 “(4) Any remaining amounts as follows:

1 “(A) Ten percent or \$20,000, whichever is less, to the purchaser;

2 and

3 “(B) The remainder to the person or persons entitled to the balance,
4 in proper proportion as determined by the court.

5 “(i) If a probate proceeding is necessary to determine the
6 proper allocation of the remaining balance, the court shall order that the remaining balance (or an
7 appropriate portion thereof) be held in escrow in the court registry until the probate proceeding
8 has been completed.

9 “(ii) If a probate proceeding is not commenced within 3
10 years from the court’s initial distribution order under this subsection or is opened within 3 years
11 but is not thereafter timely prosecuted to closing, the court may order that any amounts held in
12 escrow that relate to the proceeding be paid to the Mayor for deposit into the General Fund of the
13 District of Columbia.

14 “(e)(1) The trustee shall notify the purchaser once payment is made to the
15 Mayor pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender
16 the certificate of sale and receive from the Mayor the amount to which the purchaser would have
17 been entitled had redemption occurred in accordance with § 47-1361.

18 “(2) For purposes of calculating the refund due to the purchaser, the date
19 of the court’s order providing for distribution or the sale proceeds in accordance with subsection
20 (d) of this section shall be deemed the date of redemption.

21 “(f)(1) If the trustee in the trustee’s best judgment determines that a sale of the
22 real property will not generate proceeds sufficient to fund the distributions required under

1 subsection (d)(1) and (2) of this section, the trustee shall timely inform the court of that
2 determination.

3 “(2) Upon receipt of the trustee’s determination as described in paragraph
4 (2) of this subsection, the court shall:

5 “(A) Rescind the trustee’s appointment and the order to sell the
6 real property;

7 “(B) Issue a final judgment foreclosing the right of redemption in
8 accordance with the provisions § 47-1382; and

9 “(C) Require the purchaser to pay such fees and expenses of the
10 trustee as the court determines appropriate.”.

11 (31) Section 47-1384 is amended by striking the phrase “Notwithstanding any
12 other law, the provisions of this chapter” and inserting the phrase “Notwithstanding any other
13 law, if a court determines that any provision of this chapter is ambiguous, such provision” in its
14 place.

15 TITLE II. CONFORMING AMENDMENTS

16 Sec. 201. Section 908 of the District of Columbia Government Comprehensive Merit
17 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
18 609.08), is amended as follows:

19 (a) Paragraph (15) is amended by striking the word “and” at the end.

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

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

1 “(17) The Real Property Tax Ombudsman of the Office of the Real Property Tax
2 Ombudsman.”.

3 Sec. 202 Section 15(f) of The Business Improvement Districts Act of 1996, effective
4 May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.15(f)) is amended by striking the
5 phrase “plus interest on the unpaid amount” and inserting the phrase “plus simple interest on the

6 Sec. 203. Section 499d (D.C. Official Code § 42-405) of an Act To establish a code of
7 law for the District of Columbia, effective October 23, 1997 (D.C. Law 12-34; D. C. Official
8 Code § 42-405), is amended to read as follows:

9 “Sec. 499d. Notice of address and name change.” (a) Any owner, as defined under § 47-
10 802(5) and also entitled to receive notices under Chapter 8 of Title 47, of real property shall
11 notify the Office of Tax and Revenue of a name change or address change within 30 days.

12 “(b) Any name change shall be evidenced by the recording of a confirmatory deed with
13 the Recorder of Deeds and submission of supporting documents with and as required by the
14 Recorder of Deeds relating the applicable property.

15 “(c) Any address change shall be filed with the Office of Tax and Revenue on the form
16 and in the manner as may be prescribed.

17 “(d) The Chief Financial Officer may issue rules to implement this section.”.

18 Sec. 204. Section 302 of the District of Columbia Deed Recordation Tax Act,
19 approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding
20 a new paragraph (33) to read as follows:

21 “(33) Deeds to property transferred to a named beneficiary of a revocable transfer on
22 death deed under the Uniform Real Property Transfer of Death Act of 2012, approved March 19,

1 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01, *et seq.*), by reason of the death of the
2 grantor of the revocable transfer on death deed.”.

3 Sec. 205. In section 5(4) of An Act To provide for the abatement of nuisances in the
4 District of Columbia by the Commissioners of said District, and for other purposes, effective
5 April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.05(4)), is amended by striking
6 the phrase “Office of Tax and Revenue” and inserting the phrase “Office of Tax and Revenue,
7 and a tax sale purchaser under § 47-1353(b) or the purchaser’s assignee, as applicable, except
8 where the owner of record is challenging or appealing the vacant status of the real property for
9 the same period” in its place.

10 **TITLE III. GENERAL PROVISIONS**

11 Sec. 301. Applicability

12 Section 101(c) shall apply to tax sales conducted after December 31, 2014; provided, that
13 Section 101(c)(5) shall apply as of the general applicability date of this act.

14 **TITLE VIII. CAPITAL BUDGET**

15 **SUBTITLE A. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY**

16 Sec. 801. Short title.

17 This subtitle may be cited as the "Department of Transportation Capital Budget
18 Allocation Authority Act of 2014".

19 Sec. 802. Section 3(e) of the Department of Transportation Establishment Act of 2002,
20 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended by
21 adding a new paragraph (3) to read as follows:

22 “(3) The Director may submit requests to OBP to re-allocate funds from any
23 Related Project to the applicable capital project created in fiscal year 2012 or later funded from
24 the District of Columbia Highway Trust Fund. The Director, following re-allocation of funds by

1 OBP from a Related Project to its applicable capital project, shall have authority to submit
2 requests to OBP to allocate such funds to another Related Project.”.

3 **SUBTITLE B. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION**

4 Sec. 811. Short title.

5 This subtitle may be cited as the "Department of Transportation Capital Project Review
6 and Reconciliation Amendment Act of 2014 ".

7 Sec. 812. Subsection 11j(a) of Title IV of the Department of Transportation
8 Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-
9 921.53(a)), is amended to read as follows:

10 “(a) Funds resulting from the closure of a capital project pursuant to § 50-921.52(a) shall
11 be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund,
12 established by § 1-325.131, up to an annual level of \$1.5 million and then equally among the
13 Local Streets Ward-based capital projects, except for funds specific to non-participating costs,
14 which shall be allocated to the non-participating Highway Trust Fund Support local
15 transportation street project.”.

16 **SUBTITLE C. FY 2015 CAPITAL PROJECT FINANCING REALLOCATION**

17 **APPROVAL**

18 Sec. 821. Short title.

19 This subtitle may be cited as the "Fiscal Year 2015 Capital Project Reallocation Approval
20 Act of 2014".

21 Sec. 822. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of
22 Columbia Official Code, the Council approves the reallocation of District of Columbia general
23 obligation bond proceeds in the amount of \$86,537,336 currently allocated to the District capital

1 projects listed in Table A to the District capital projects, in the amounts specified, listed in Table
2 B.

3 (b) The current allocations were made pursuant to the Fiscal Year 2009 Income Tax
4 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009 (R-
5 18-0034), the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation
6 Bond Issuance Emergency Approval Act of 2009 (A18-240), the Fiscal Year 2011 Income Tax
7 Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2010
8 (A18-607), and the Fiscal Year 2012 Income Tax Secured Revenue Bond and General
9 Obligation Bond Issuance Approval Resolution of 2011 (R-19-0315).

10 **TABLE A**
11

CAPITAL PROJECTS TO WHICH BOND PROCEEDS ARE CURRENTLY ALLOCATED

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	IT	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	421,874
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 Public Schools	GM0	DGS	Woodrow Wilson Natatorium/Pool	2009E	4,039,764
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	486,094
Office of the Chief Technology Officer	N16	OCTO	District Reporting System	2011A - IT	3,351
Department of General Services	SFF	DGS	Evans Campus - See Forever Foundation	2012 FG	2,000,000
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	1,958,335
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	1,670,370
Mass Transit Subsidies	SA4	WMATA	Metrorail Construction	2012 FG	53,577,000
TOTAL					\$ 86,537,336

TABLE B

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APPROVED CAPITAL PROJECTS TO WHICH BOND PROCEEDS ARE REALLOCATED

Agency	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Mass Transit Subsidies	TOP	WMATA	Transit Operations & Dedicated Facilities	N/A	27,860,968
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization		29,453,153
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization		29,223,215
TOTAL					\$ 86,537,336

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TITLE IX. ADDITIONAL REVENUE CONTINGENCY LIST

SUBTITLE A. REVISED REVENUE ESTIMATE CONTINGENCY PRIORITY LIST

Sec. 901. Short title.

This subtitle may be cited as the “Revised Revenue Estimate Contingency Priority List Act of 2014”.

Sec. 902. (a). If, pursuant to the Fiscal Year 2015 Budget Request Act of 2014, local revenues are certified in the June 2014 revenue estimate, that exceed the annual revenue estimate incorporated in the approved budget and financial plan for this fiscal year, the revenues deposited in the Operating Cash Reserve shall be allocated in the following priority:

(1) Office of the State Superintendent - \$8,000,000 to increase infant and toddler slots by 200;

(2) General Fund Revenue - \$10,800,000 to increase the maximum Earned Income Tax Credit from \$195 to \$487;

(3) General Fund Revenue - \$20,800,000 to provide Business Franchise Tax relief by reducing the rate from 9.4% to 8.9%;

(4) General Fund Revenue - \$10,200,000 to reduce the commercial property tax rate on the first \$3,000,000 of assessed value from \$1.65 to \$1.55 per \$100 of assessed value;

- 1 (5) University of the District of Columbia - \$10,000,000 in additional funds split
2 equally for UDC and CCDC educational advancements;
- 3 (6) Office of the State Superintendent - \$3,000,000 increase in adult literacy
4 funding;
- 5 (7) Department of Behavioral Health - \$1,900,000 for the expansion of the school
6 based mental health program;
- 7 (8) Department of Healthcare Finance - \$1,867,027 for coverage of ineligible
8 persons for Health Benefits Exchange Insurance;
- 9 (9) Department of Healthcare Finance - \$1,500,000 increase for Federally
10 Qualified health Center (FQHC) rate methodology;
- 11 (10) Department of Healthcare Finance - \$1,050,000 for the elderly and persons
12 with disabilities waiver;
- 13 (11) General Fund Revenue - \$10,400,000 to reduce the Deed, Recordation, and
14 Transfer Tax from 1.45% to 1.4%. This includes an offsetting 1.5 percentage point increase to
15 the Housing Production Trust Fund transfer from 15% to 16.5%.
- 16 (12) Children and Youth Investment Trust Corporation - \$5,000,000 to increase
17 funding to cover summer initiatives;
- 18 (13) Office of the State Superintendent - \$8,500,000 increase in funding for the
19 Mayor's Scholars program.
- 20 (14) General Fund Revenue - \$10,200,000 to increase the Personal Exemption
21 from \$1,775 to \$2,215;
- 22 (15) General Fund Revenue - \$10,100,000 to increase the Standard Deduction
23 from \$4,250 to \$5,200;

1 (16) D.C. Commission on Arts and Humanities - \$10,000,000 in additional grant
2 funding;

3 (17) Department of Housing and Community Development - \$700,000 to fund the
4 Small Business Technical Assistance program.

5 (18) Realtor Fund - \$501,000 to restore funding to the Real Estate Guaranty and
6 Education Fund;

7 (19) Office of the Attorney General - \$453,608 for 3 additional attorneys and 1
8 paralegal within the Personnel, Labor & Employment Division; and

9 (20) General Fund Revenue - \$13,900,000 to exempt estates valued less than
10 \$5,250,000 from the Estate Tax.

11 (b) The District of Columbia may obligate and expend any increase in the amount of
12 funds authorized by this section only if the Chief Financial Officer certifies the increase in
13 revenue and certifies that the use of the amounts is not anticipated to have a negative impact on
14 the long-term financial plan of the District.

15 **TITLE X. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**

16 **AMENDMENTS AND TRANSFERS**

17 **SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS**

18 Sec. 1001. Short title.

19 This title may be cited as the “Local and Special Purpose Revenue Fund Amendment Act
20 of 2014”.

21 Sec. 1002. RFK & DC Armory Maintenance Fund

22 Notwithstanding any other law, the funds which are deposited in the fund designated for
23 accounting purposes by the Office of the Chief Financial Officer as fund 1440 within the

1 Department of General Services shall be a lapsing fund and any unexpended funds in the fund at
2 the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
3 District of Columbia.

4 Sec. 1003. Facilities Service Request Fund

5 Notwithstanding any other law, the funds which are deposited in the fund designated for
6 accounting purposes by the Office of the Chief Financial Officer as fund 1500 within the
7 Department of General Services shall be a lapsing fund and any unexpended funds in the fund at
8 the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
9 District of Columbia.

10 Sec. 1004. Distribution Fees

11 Notwithstanding any other law, the funds which are deposited in the fund designated for
12 accounting purposes by the Office of the Chief Financial Officer as fund 1243 within the Office
13 of the Secretary shall be a lapsing fund and any unexpended funds in the fund at the end of a
14 fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of
15 Columbia.

16 Sec. 1005. Neighborhood Historic Preservation

17 Section 11a (a) of the Historic Landmark and Historic District Protection Act of 1978,
18 effective November 16, 2006 (D.C. Law 16-185; D.C. Official Code § 6-1110.01(a)) is amended
19 to read as follows:

20 “(a) There is established within the General Fund of the District of Columbia, the
21 Historic Landmark-District Protection Fund ("HLP Fund") as a lapsing, revolving fund; the
22 funds of which shall revert to the General Fund at the end of any fiscal, for the purpose of paying
23 the costs of repair work necessary to prevent demolition by neglect as described in section 10c or

1 for the costs of carrying out any other historic preservation program consistent with the purposes
2 of and pursuant to this subchapter.”.

3 Sec. 1006. Copy Fund

4 Notwithstanding any other law, the funds which are deposited in the fund designated for
5 accounting purposes by the Office of the Chief Financial Officer as fund 0651 within the Public
6 Service Commission shall be a lapsing fund and any unexpended funds in the fund at the end of a
7 fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of
8 Columbia.

9 Sec. 1007. DCPS PEPCO

10 Notwithstanding any other law, the funds which are deposited in the fund designated for
11 accounting purposes by the Office of the Chief Financial Officer as fund 0604 within the District
12 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
13 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
14 District of Columbia.

15 Sec. 1008. DCPS Security

16 Notwithstanding any other law, the funds which are deposited in the fund designated for
17 accounting purposes by the Office of the Chief Financial Officer as fund 0609 within the District
18 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
19 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
20 District of Columbia.

21 Sec. 1009. DCPS Custodial

22 Notwithstanding any other law, the funds which are deposited in the fund designated for
23 accounting purposes by the Office of the Chief Financial Officer as fund 0607 within the District

1 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
2 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
3 District of Columbia.

4 Sec. 1010. DPR Enterprise Fund

5 Notwithstanding any other law, the fund which is designated for accounting purposes by
6 the Office of the Chief Financial Officer as fund 0602 within the Department of Parks and
7 Recreation shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal
8 year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

9 Sec. 1011. Pedestrian and Bicycle Safety and Enhancement Fund

10 Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16,
11 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131) is amended as follows:

12 (a) Subsection (a) is amended by striking the phrase “nonlapsing” and inserting the
13 phrase “lapsing” in its place.

14 (b) Subsection (c)(1) is amended to read as follows:

15 “(c)(1) All funds received but not expended in a fiscal year shall revert to the unrestricted
16 fund balance of the General Fund of the District of Columbia.”.

17 Sec. 1012. DMV Out-of State Vehicle Registration Fee

18 Section 3a of the District of Columbia Revenue Act of 1937, effective March 28, 2008
19 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a), is amended as follows:

20 (a) Subsection (a)(1) is amended by striking the phrase “nonlapsing” and inserting the
21 phrase “lapsing” in its place.

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

1 “(3) All funds received but not expended in a fiscal year shall revert to the unrestricted
2 fund balance of the General Fund of the District of Columbia.”.

3 Sec. 1013. OCTO SERVUS Program

4 Section 1004 of the Fiscal Year 2008 Budget Support Act of 2007, effective September
5 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1433), is amended as follows:

6 (a) Subsection (a) is amended by striking the phrase “nonlapsing” and inserting the
7 phrase “lapsing” in its place.

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

9 “(b) All funds received but not expended in a fiscal year shall revert to the unrestricted
10 fund balance of the General Fund of the District of Columbia.”.

11 Sec. 1014. Healthcare Forfeiture

12 Notwithstanding any other law, the fund which is designated for accounting purposes by
13 the Office of the Chief Financial Officer as the Healthcare Forfeiture fund shall be a lapsing fund
14 and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted
15 fund balance of the General Fund of the District of Columbia.

16 Sec. 1015. Fixed Cost Commodity Reserve

17 Notwithstanding any other law, the funds which are deposited in the fund designated for
18 accounting purposes by the Office of the Chief Financial Officer as the Fixed Cost Commodity
19 Reserve fund within the Department of General Services shall be deposited in the General Fund
20 of the District of Columbia and shall not be accounted for by a separate fund or account within
21 the General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
22 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
23 the District of Columbia.

1 Sec. 1016. Child SPT – Title IV Incentive Fees

2 Notwithstanding any other law, the funds which are deposited in the fund designated for
3 accounting purposes by the Office of the Chief Financial Officer as the Child SPT – Title IVC
4 Incentive Fees fund within the Office of the Attorney General shall be deposited in the General
5 Fund of the District of Columbia and shall not be accounted for by a separate fund or account
6 within the General Fund of the District of Columbia. Any unexpended funds in the fund on the
7 effective date of this subtitle shall be transferred to the unrestricted fund balance of the General
8 Fund of the District of Columbia.

9 Sec. 1017. Adult Training Fund

10 Section 2261 of the Fiscal year 2010 Budget Support Act of 2009, effective March 3,
11 2010 (D.C. Law 18-111; D.C. Official Code § 32-1671), is repealed.

12 Sec. 1018. Youth Jobs Fund

13 Section 1009 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16,
14 2008 (D.C. Law 17-219; D.C. Official Code § 2-1516.01), is repealed.

15 Sec. 1019. Neighborhood Investment Fund

16 Section 2 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C.
17 Law 15-131; D.C. Official Code § 6-1071), is repealed.

18 Sec. 1020. Senior Citizens Housing Modernization Grant Fund

19 Section 3 of the Senior Housing Modernization Grant Fund Act of 2010, effective August
20 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.162), is repealed.

21 Sec. 1021. Shaw Community Development Fund

22 Section 204(l) of the Washington Convention Center Authority Act of 1994, September
23 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)), is repealed.

1 Sec. 1022. AWC Integration (Economic Development Special Account)

2 Section 301 of the National Capital Revitalization Corporation and Anacostia Waterfront
3 Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C.
4 Official Code § 2-1225.21), is repealed.

5 Sec. 1023. Commercial Revitalization Assistance Fund

6 Section 2376 of the Small, Local, and Disadvantaged Business Enterprise Development
7 and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code
8 § 2-218.76), is repealed.

9 Sec. 1024. TDL Career Cluster

10 Notwithstanding any other law, the funds which are deposited in the fund designated for
11 accounting purposes by the Office of the Chief Financial Officer as the TDL Career Cluster fund
12 within the District of Columbia Public Schools shall be deposited in the General Fund of the
13 District of Columbia and shall not be accounted for by a separate fund or account within the
14 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
15 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
16 the District of Columbia.

17 Sec. 1025. Pre-k for All

18 Notwithstanding any other law, the funds which are deposited in the fund designated for
19 accounting purposes by the Office of the Chief Financial Officer as the Pre-k for All fund within
20 the Office of the State Superintendent of Education shall be deposited in the General Fund of the
21 District of Columbia and shall not be accounted for by a separate fund or account within the
22 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective

1 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
2 the District of Columbia.

3 Sec. 1026. Choice in Drug Treatment (Addiction Recovery Fund)

4 Section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law
5 13-146; D.C. Official Code § 7-3004), is repealed.

6 Sec. 1027. Air Quality Construction Permits

7 Notwithstanding any other law, the funds which are deposited in the fund designated for
8 accounting purposes by the Office of the Chief Financial Officer as the Air Quality Construction
9 Permits fund within the Department of Health shall be deposited in the General Fund of the
10 District of Columbia and shall not be accounted for by a separate fund or account within the
11 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
12 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
13 the District of Columbia.

14 Sec. 1028. DDOT Unified Fund

15 Section 102a of the Highway Trust Fund Establishment Act of 1996, effective September
16 20, 2012 (D.C. Law 19-168; D.C. Official Code § 9-111.01a), is repealed.

17 Sec. 1029. Parking Meter Fund

18 Notwithstanding any other law, the funds which are deposited in the fund designated for
19 accounting purposes by the Office of the Chief Financial Officer as fund 6906 within the District
20 Department of Transportation shall be deposited in the General Fund of the District of Columbia
21 and shall not be accounted for by a separate fund or account within the General Fund of the
22 District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle

1 shall be transferred to the unrestricted fund balance of the General Fund of the District of
2 Columbia.

3 Sec. 1030. Prison Diversion

4 Notwithstanding any other law, the funds which are deposited in the fund designated for
5 accounting purposes by the Office of the Chief Financial Officer as the Prison Diversion fund
6 within the Department of Behavioral Health shall be deposited in the General Fund of the
7 District of Columbia and shall not be accounted for by a separate fund or account within the
8 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
9 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
10 the District of Columbia.

11 Sec. 1031. Integrated Service Fund

12 Section 5203 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2,
13 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.02), is repealed.

14 Sec. 1032. Healthy Schools Dedicated Tax

15 Section 102 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-
16 209; D.C. Official Code § 38-821.02), is repealed.

17 Sec. 1033. Effective date.

18 This subtitle shall be effective on September 30, 2014.

19 **SUBTITLE B. LOCAL AND O-TYPE FUND TRANSFERS**

20 Sec. 1041. Short title.

21 This subtitle may be cited as the “Local and Special Purpose Revenue Fund Transfer Act
22 of 2014”.

1 Sec. 1042. Notwithstanding any provision of law limiting the use of funds in the accounts
 2 listed in the following chart, the Chief Financial Officer shall transfer the following amounts
 3 from certified fund balances in those accounts to the Contingency Cash Reserve Fund in fiscal
 4 year 2014:

Agency Code	Agency	Fund Name	Fund Balance 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

5
 6 Sec. 1043. Effective date.

7 This subtitle shall be effective on September 30, 2014.

8 **TITLE XI. FISCAL IMPACT AND EFFECTIVE DATE**

9 Sec. 1101. Fiscal impact statement.

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

13 Sec. 1102. Effective date.

1 This act shall take effect following approval by the Mayor (or in the event of veto by the
2 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
3 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973
4 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia
5 Register.

Government of the District of Columbia
Office of the Chief Financial Officer



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer 

DATE: April 3, 2014

SUBJECT: Fiscal Impact Statement – “Fiscal Year 2015 Budget Support Act of 2014”

REFERENCE: Draft legislation shared with the Office of Revenue Analysis on April 3, 2014

Conclusion

Funds are sufficient in the proposed FY 2015 through FY 2018 budget and financial plan to implement the proposed Fiscal Year 2015 Budget Support Act of 2014.

The proposed FY 2015 through FY 2018 budget and financial plan accounts for the expenditure and revenue implications of the proposals described in the subtitles included in the bill. The Mayor’s FY 2015 budget proposes \$6.794 billion in Local funds spending, supported by \$6.795 billion of local resources, with an operating margin of \$0.5 million.

The initiatives in the Fiscal Year 2015 Budget Support Act of 2014, combined with the Mayor’s policy choices, provide sufficient funds to balance the estimated expenditures of \$7.656 billion¹ in the proposed General Fund FY 2015 budget.

The bill, the “Fiscal Year 2015 Budget Support Act of 2014,” is the legislative vehicle for adopting statutory changes needed to implement the Mayor’s proposed budget for the FY 2014 through FY 2017 budget and financial plan period. The purpose and the impact of each subtitle are summarized in the following pages.

¹ This amount includes local, dedicated and special purpose funds.

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TITLE I- GOVERNMENT DIRECTION

Subtitle (I)(A) – Bonus and Special Pay Limitation Act of 2014

Background

The proposed subtitle prohibits District agencies from awarding performance-related bonuses, special act pay, and service awards in fiscal year 2015. Contractually required bonuses and special payments, including those for certain employees of the District of Columbia Public Schools, are exempted from this requirement.

Financial Impact

Limitations on bonus and special payments generally help keep personnel expenditures under control, allowing the use of public funds for other purposes.

Subtitle (I)(B) – Elected Attorney General Implementation and Legal Service Establishment Technical Amendment Act of 2014

Background

Currently, the Office of the Attorney General (OAG) is a subordinate agency to the Mayor, responsible for providing legal support to District agencies, advising the Executive, and enforcing the laws of the District.² In 2010, District voters ratified a charter amendment to establish an elected and independent Attorney General, separate from the control of the Mayor.³ Anticipating the election of an Attorney General in November 2014, a 2013 law⁴ required major organizational changes to OAG and to legal staff throughout the District. The organizational changes were to be effective by October 1, 2014. At the same time, however, the law also moved the election date for an Attorney General until after January 2018.

This subtitle moves the deadline for required organizational changes in OAG to October 1, 2018, to more closely align with the planned 2018 election of an independent Attorney General.

Financial Impact

This subtitle does not have an impact on the District's budget and financial plan.

² D.C. Official Code §§ 1-301.81 through 1-301.82.

³ D.C. Law 18-160 was ratified by the electors of the District of Columbia in a general election held on November 2, 2010, certified by the District of Columbia Board of Elections and Ethics on November 29, 2010, and became effective as law on May 30, 2011.

⁴ Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60: D.C. Official Code § 1-601.01 *et seq.*)

Subtitle (I)(C) – Public Sector Workers’ Compensation Budget Savings Act of 2014

Background

Current law⁵ allows the District to request reports of earnings and tax records from workers’ compensation recipients with a partial disability. The subtitle permits the District to request the records from all workers’ compensation recipients.

The subtitle also makes clear that the spouse of a deceased District employee cannot continue to receive compensation if he or she remarries. Current law⁶ is ambiguously worded and could allow continued compensation if a spouse of a deceased employee remarries after the age of 60.

Lastly, the subtitle limits an employee’s rights to receive additional compensation after receiving a permanent disability schedule award. Current law⁷ may permit compensation for the same injury under both the permanent and temporary disability schedules.

Financial Impact

This subtitle does not have an impact on the District’s budget and financial plan. Implementation of these changes have the potential to result in fewer expenditures for workers compensation than there might have been, but there is insufficient data at this time to determine whether any net savings will result.

Subtitle (I)(D) – Technology Services Support Amendment of 2014

Currently, the Office of the Chief Technology Officer (OCTO) may accept payment from independent and federal agencies who are recipients of DC-NET⁸ services. These payments are deposited into the DC-NET Services Support Fund (“Fund”),⁹ a special purpose revenue fund that helps defray the cost of the DC-NET program operational costs.

Financial Plan Impact

The subtitle permits OCTO to collect payments from entities receiving DC-NET services that are also supporting a District economic development initiative. The revenues are to be deposited into the Fund to defray the costs of providing these services. Specific customers have not been identified, so revenue increases are not expected at this time. If customers are identified in the future and collections exceed existing Fund authority, OCTO must request additional special purpose revenue authority to expend the revenue.

⁵ D.C. Official Code § 1-623.06.

⁶ D.C. Official Code § 1-623.33.

⁷ D.C. Official Code § 1-623.07.

⁸ D.C. Official Code § 1-1431(4) defines the DC-NET program as “a program conducted by the Office of the Chief Technology Officer to implement and manage a state-of-the-art, fiber-optic network owned by the District government.”

⁹ D.C. Official Code § 1-1432 (DC-NET Services Support Fund).

Subtitle (I)(E) – Pay-as-you-go and Reserve Accounts Amendment Act of 2014

Background

Current law¹⁰ permits the Chief Financial Officer (CFO) to use the Cash Flow Reserve Account to cover general cash-flow needs, so long as it is replenished in the same fiscal year. This subtitle expands the permitted use of the Cash Flow Reserve Account to include expenditures during a government shutdown.

The subtitle also permits the Mayor—with approval from Council and certification of the CFO—to utilize the Fiscal Stabilization Reserve Account during a government shutdown and for general cash flow management purposes. Under current law,¹¹ the Fiscal Stabilization Reserve Account cannot be used for either purpose.

Additionally, the subtitle requires that all uncommitted surpluses identified in the Comprehensive Annual Financial Report be allocated for three specific uses: the Housing Production Trust Fund, the District of Columbia Retiree Health Benefits Fund, and the reduction of debt by shifting borrowed funds for capital projects to pay-as-you-go funds. The surpluses will be allocated at 50 percent, 25 percent and 25 percent, respectively.

Lastly, the subtitle makes a technical change to clarify that FY 2016 is the base year for the required¹² pay-as-you-go capital account.

Financial Plan Impact

This subtitle does not have an impact on the District's budget and financial plan.

Subtitle (I)(F) – Family Bonding Leave Program Amendment Act of 2014

Background

The subtitle provides an elective benefit of six weeks paid leave to District employees at full salary for the birth or adoption of a child,¹³ regardless of time in service. In the event that both parents are employees of the District, the designated primary caregiver may take up to six weeks leave, and the secondary caregiver may take up to two weeks leave. The subtitle limits the amount of lifetime leave that can be taken under the subtitle to 30 weeks per employee. Leave must be taken in at least one week increments, either consecutively or intermittently, and used within 12 months of the birth or adoption. For employees serving in a probationary capacity, such as new employees, leave taken under this subtitle cannot count toward the required probationary period.

Currently, several other categories of leave are available to District government employees who wish to take time off related to the birth, adoption or care of an infant or child. However, these programs generally have time eligibility requirements, are unpaid, or do not guarantee full salary

¹⁰ D.C. Official Code § 47-392.02(j-2). (Cash Flow Reserve Account).

¹¹ D.C. Official Code § 47-392.02(j-1). (Fiscal Stabilization Reserve Account).

¹² Required as per D.C. Official Code 47-392.02(f)(2).

¹³ Child must be less than 19 years of age.

coverage. The District of Columbia Family and Medical Leave Act ("FMLA")¹⁴ permits employees with 12 months of service to take 16 weeks of unpaid family leave during any 24 month period following the life event. Eligible employees may still take advantage of the protections and benefits afforded under the FMLA, as well as leave donations from other employees through voluntary leave transfer or the Annual Leave Bank Program.¹⁵ Employees may also utilize their earned available sick or annual leave to limit the loss of their income beyond the six week family bonding benefit.

Financial Plan Impact

The subtitle creates a paid benefit of an estimated \$3,804,247 in FY 2015, and \$15,915,550 in the FY 2015 through FY 2018 budget and financial plan.¹⁶ Since the District's proposed FY 2015 through FY 2018 budget accounts for full salaries of every employee, without making any allowances for any unpaid leave, the proposed subtitle's effect is already accounted for. While most agencies can absorb this cost by the spreading the work to other employees, it is plausible that when an employee is on family bonding leave, his or her agency may need to hire additional temporary personnel. Larger agencies with more staff and funds are better equipped to absorb the cost of a staffer on extended leave compared to smaller agencies, which may face spending or work pressures. Finally, the proposal will reduce lapsed salary savings. This does not have a fiscal impact since the proposed budget accounts for full salaries, but, once the fiscal year starts, the District would be constrained in its ability to use lapsed salaries to offset other spending pressures.

Subtitle (I)(G) – Office of Contracting and Procurement Surplus Property Sales Fund Establishment Act of 2014

Background

The subtitle creates a special purpose fund called the District of Columbia Surplus Property Sales Revolving Fund ("Fund") to collect a portion of revenues received from the sale of government surplus property (such as unneeded equipment). The District contracts with a private vendor to manage the sale of the surplus property and the sole purpose of the new Fund is to pay for the vendor's contract. Any revenue received into the Fund but not spent will revert back to the general fund at the end of the fiscal year.

Financial Plan Impact

An additional \$375,000 is expected from surplus property revenue in FY 2015, and \$1,500,000 over the four year financial plan. This additional revenue will be directed to the new Fund to pay the surplus property management vendor's contract.

¹⁴ Effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*)

¹⁵ D.C. Official Code § 1-612.05.

¹⁶ This estimate is based on the national birth rates and the current age and gender profile of District employees.

The Honorable Phil Mendelson

FIS: "Fiscal Year 2015 Budget Support Act of 2014," Draft legislation shared with the Office of Revenue Analysis on April 3, 2014

Subtitle (I)(H) – District of Columbia Food Provision Amendment Act of 2014

Background

The subtitle permits the Department of Parks and Recreation to use appropriated funding to purchase food, non-alcoholic beverages, and entertainment in connection with various programs it sponsors. Additionally, it permits the District to purchase meals and refreshments for members of boards and commissions during public business meetings. The subtitle requires the Mayor to issue rules governing this new authority.

Financial Plan Impact

This subtitle does not have an impact on the District's budget and financial plan. Any expenditure on food and beverages must be separately appropriated.

TITLE II- ECONOMIC DEVELOPMENT AND REGULATION

Subtitle (II)(A) – Manufacturer Tasting Permit Amendment Act of 2014

Background

Current law permits breweries¹⁷ to apply for tasting permits to serve samples of beer manufactured on the site, but prohibits full servings of beer for on-site consumption. The subtitle creates an on-premises sales and consumption permit so breweries can offer full servings of beer on their premises between 1 p.m. and 9 p.m. The subtitle sets the minimum fee for the permit at \$1,000 annually. Breweries will still be required to have a tasting permit if they are also offering tastings.

Financial Impact

The Alcoholic Beverage Regulatory Administration can administer this new permit within its current resources. The fees collected for this new permit would be deposited into the Alcoholic Beverage Regulation Administration Fund, a special purpose fund.¹⁸ There are only four beer manufacturers currently in the District; if all apply for the permit, the annual revenues to this fund could increase by \$4,000.

Subtitle (II)(B) – Ward 4 Full Service Grocery Store Amendment Act of 2014

Background

Current law¹⁹ prohibits new full service grocery stores from applying for and obtaining a Class B²⁰ retail liquor license to sell beer and wine for off-premises consumption. The subtitle would allow full service grocery stores to apply for a Class B license.

Financial Impact

The total number of stores that may apply is unknown, but it is expected to be small. Any additional fee revenue to the Alcoholic Beverage Regulation Administration Fund is expected to be small.

Subtitle (II)(C) – Alcoholic Beverage Control Board Stipend Amendment Act of 2014

Background

This subtitle increases the stipend paid to the seven members of the Alcoholic Beverage Control Board from \$15,000²¹ to \$18,000 annually.

¹⁷ Specifically, Class B manufacturer license holders under D.C. Official Code §25-110(a)(2).

¹⁸ D.C. Official Code § 25-210 (Alcoholic Beverage Regulation Administration Fund establishment).

¹⁹ D.C. Official Code § 25-340.01(b) (Ward 4 restrictions).

²⁰ D.C. Official Code § 25-112 (Off-premises retail licenses).

²¹ See D.C. Official Code § 1-611.08(c)(2)(I) for current stipend amounts.

Financial Impact

The additional stipend cost will be \$21,000 annually, and is included in the proposed FY 2015 through FY 2018 budget and financial plan.

Subtitle (II)(D) – Consumer Procedures and Protections Enforcement Amendment Act of 2014

Background

Current law²² permits the Department of Consumer and Regulatory Affairs (DCRA) to investigate potential violators of consumer protection laws, but requires a judge to administer fines for consumer protection violations.

The subtitle permits DCRA to impose civil fines for violations of consumer protections laws. Additionally, it adds harassment of a consumer on electronic and social media to the list of unlawful trade practices.²³

Financial Impact

The subtitle is expected to generate approximately \$20,000²⁴ of additional general fund revenue.

Subtitle (II)(E) – Solar Permitting Fees Amendment Act of 2014

Background

Currently, permit fees for solar panel installation projects are based on the expected cost of the installation, as are other types of additions, alterations and repairs.²⁵ The subtitle creates a separate permit fee schedule for solar permitting with two project categories: solar photovoltaic and solar thermal. If the project is solar photovoltaic, the permit fee is based on expected kilowatt generation levels. If the project is solar thermal, the permit fee is based on number of solar panels.

Financial Impact

The subtitle decreases general fund revenues by an estimated \$90,000 annually. Restructuring of the fees from a project-cost basis to a project-type basis is expected to reduce the average cost of each permit by \$240, although individual permit costs will vary significantly by project.

²² D.C. Official Code § 28-3903.

²³ D.C. Official Code § 28-3904.

²⁴ This is based on an estimated 50 citations annually (out of estimated total of 350 cases per year) and \$2,000 fine each. It is expected that only about twenty percent will end up being collected due to dismissals and settlements.

²⁵ See D.C. Municipal Regulations Title 12.

Subtitle (II)(F) – Public Utilities Reimbursement Fee Amendment Act of 2014

Current law²⁶ requires that natural gas suppliers, electricity suppliers, and local exchange providers pay a reimbursement fee to cover the operating budgets of the Public Service Commission (PSC) and the Office of the People's Counsel (OPC). In practice, the fee is also paid by public utilities. The subtitle clarifies the statutory language to explicitly make public utilities and telecommunications service providers subject to the fee.

If PSC or OPC underspend their budgets by five percent or more, the District must refund the unspent portion that is over five percent to public utilities and electricity suppliers.²⁷ Because of the limited statutory language, the District cannot reimburse natural gas suppliers and telecommunications service providers, which also pay the fee. Until recently this was not a problem, because underspending had not met the threshold. But in FY 2012 and FY 2013, sufficient underspending occurred to require a refund. Refunds to service providers have been held up because of the legal language question. The subtitle entitles all providers that pay the fee to receive a refund when one is due.

Financial Plan Impact

Changes to statutory language to more accurately reflect the historical and current practices of the public utilities reimbursement fee activity do not have a negative impact on the District's budget and plan. Funding for the pending refunds owed for FY 2012 and FY 2013 have been set aside²⁸ and are available for payment upon approval of this subtitle.

Subtitle (II)(G) – Unemployment Insurance Benefits Modernization and Federal Conformity Amendments Act of 2014

Background

The subtitle makes several changes to unemployment insurance benefits laws, bringing District's provisions into compliance with federal requirements, including:

- Employers with more than 5 employees must now submit contribution and wage reports. Currently, the minimum number of employees is 250;²⁹
- Employers with delinquent reports or an unpaid lien in a base year must pay the highest rate for their unemployment insurance contribution rate ("contribution");
- Prisoners are not eligible for unemployment benefits regardless of where they are incarcerated. Currently, the code refers to District of Columbia prisons only;³⁰
- Claimant is either in the state in which the unemployment compensation claim was filed, or in the state in which the claimant is looking for a job (and reporting on job search weekly);

²⁶ D.C. Official Code § 34-912(b)(1).

²⁷ D.C. Official Code § 34-912(b)(3). The refunds are made in proportion to what the entity paid in fees.

²⁸ Funding to pay refunds owed are available in the unreserved fund balance of the Public Service Commission Agency Fund (established under D.C. Official § Code 34-912(a)(1)). Approximately \$1.3 million of the current \$1.9 million fund balance will be required to make the refunds.

²⁹ D.C. Official Code § 51-104.

³⁰ D.C. Official Code § 51-109(6).

- Penalty ceiling for false representation is raised from 1 year to 2 years suspension of benefits;³¹
- Definition of normal weekly hours changed to include full time and part time employees, and overtime is not included in computation of contributions and benefits;
- An employer who is new, has a negative balance (that is benefits paid out of the employer's account are greater than the contributions), is taxed at the maximum rate, or has employees receiving supplemental unemployment benefits can no longer submit shared work plans, where the employers claim partial benefits for reduced hours; and
- Shared work compensation shall be counted toward an employer's experience ratings—that is the unemployment benefits paid relative to total employee compensation, unless an employer is liable for payments.

The subtitle outlines the process Department of Employment Services (DOES) will follow when determining whether a potentially erroneous payment to an employer's account should be relieved. DOES is required to notify an employer if an employer is determined not to have timely and adequately responded to a request for information.

Additionally, the subtitle outlines a process for determining an employer's contribution if the employer was created by a merger or transfer, and establishes penalties for violations related to determining the assignment of a contribution rate. Employers will be assigned the highest rate for the year the violation occurs, but no less than a two percent increase on taxable wages may be imposed on the violator. If the person committing the fraud is not an employer, he or she may be subject to a penalty of up to \$5,000, as well as the possibility of felony charges.

Financial Plan Impact

DOES can manage these changes within its current resources. It is possible some provisions could affect individual employer contributions to the Unemployment Insurance Fund, but the exact amount is not known. This fund is not a part of the District's local General Fund, as it can only be used to pay unemployment benefits.

Subtitle (II)(H) – H Street Retail Priority Area Incentive Amendment Act of 2014

Background

The subtitle requires that all grants made in accordance with the H Street Retail Priority Area Grant Fund³² be used to support corridor revitalization programs associated with the Great Streets program.³³ Under current law, the grants can only be used to assist retail development projects, which generate new jobs in new or improved existing retail space in the H Street, N.E., Retail Priority Area. The proposed change will make many other revitalization programs, such as programs for retention and attraction of small businesses, neighborhood branding and marketing,

³¹ D.C. Official Code § 51-119(e)(2).

³² D.C. Official Code § 1-325.172.

³³ Great Streets Program is defined in Great Streets Neighborhood Retail Priority Area Amendment Act of 2013, enacted as Subtitle VIII(D) of Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472).

blighted and vacant property mitigation and redevelopment of private properties, streetscape projects and beautification and greening projects for public areas, eligible for grants.

Financial Plan Impact

The subtitle expands the types of projects that can receive H Street Retail Priority Area grants, but this change does not affect the budget.

Subtitle (II)(I) – Local Rent Supplement Sustainment Amendment Act of 2014

Background

This subtitle requires all new and vacant slots for local rent supplement assistance³⁴ to be filled with chronically homeless individuals and families referred by the Department of Human Services (DHS). Referrals must be made in accordance with special eligibility criteria in the District of Columbia Municipal Regulations.³⁵

Financial Plan Impact

Requiring available slots for rent assistance to be filled by homeless families and individuals who are referred by DHS does not have a fiscal impact.

Subtitle (II)(I) – Film DC Economic Incentive Amendment Act of 2014

Background

The subtitle repeals the Film DC Economic Incentive Fund³⁶ and associated programs and replaces it with the Film DC Economic Incentive Grant Fund ("Fund"), to be funded with general appropriations that do not lapse at the end of the fiscal year. The Fund can be used to provide grants that attract to the District nationally distributed film and television projects, but not news or sporting events. The productions must spend at least \$500,000 in qualified expenses³⁷ over five days or more on production activities in the District, and the incentive grants must not exceed the total qualified expenses. The Fund can also be used for administrative costs associated with managing the Fund and associated programs. Lastly, the subtitle requires the Mayor to report annually to the Council on the grants that are issued from the Fund.

Financial Plan Impact

The proposed FY 2015 budget allocates \$1 million to the Fund, which will be managed by the Office of Motion Picture and Television Development.

³⁴ See D.C. Official Code § 6-228 for establishment of the Rent Supplement Program.

³⁵ As outlined in 29 DCMR § 2556 - 2558.

³⁶ D.C. Official Code § 39-501.

³⁷ Qualified expenses are outlined in detail in the subtitle, and include such costs as materials, supplies, equipment rentals, hotel expenses and food expenses.

TITLE III – PUBLIC SAFETY AND JUSTICE

Subtitle (III)(A) – Metropolitan Police Department Escort and Reimbursement Act of 2014

Background

The subtitle authorizes the Metropolitan Police Department (MPD) to receive reimbursement for and issue regulations on police escort services needed to protect public safety.

Financial Plan Impact

MPD does not currently provide police escort services, but this subtitle will give it the authority to seek reimbursement if the services are provided in the future.

Subtitle (III)(B) – State Safety Oversight Agency Establishment Amendment Act of 2014

Background

In FY 2013, the District established a State Safety Oversight Agency ("Agency") within the Fire and Emergency Medical Services (FEMS) Department to oversee the safety and security of the District's streetcar program, as required by the Federal Transit Administration (FTA). Since the Agency's establishment, the FTA imposed³⁸ further requirements on state safety agencies that oversee transit operations.

The subtitle ensures the Agency has the following responsibilities to ensure the safe operations of the DC Streetcar system:

- Conduct investigations into accidents or incidents involving the DC Streetcar system independently or with federal partner agencies;
- Audit the DC Streetcar system to ensure compliance with safety-related plans;
- Issue reports and findings regarding the safe and secure operations of the DC Streetcar system;
- Require and render judgment on safety-related plans required by law;
- Enforce safety rules governing the DC Streetcar system's operations;
- Limit or stop any streetcar operations to protect public safety; and
- Apply for grants and cooperative agreements with the FTA on behalf of the District.

Financial Plan Impact

The subtitle provides clarifications required by FTA for successful operation of the Agency and no additional resources are required.

³⁸ The new rules were authorized by "Moving Ahead for Progress in the 21st Century Act," which reauthorized federal transportation programs through FY 2014. (MAP-21, approved July 6, 2012 (Public Law 112-141; 49 U.S.C. Chapter 53).

TITLE IV – PUBLIC EDUCATION SYSTEM

Subtitle (IV)(A) –Funding For Public Schools and Public Charter Schools Amendment Act of 2014

Background

The proposed subtitle increases³⁹ the foundation level used by the Uniform per Student Funding Formula (UPSFF) to \$9,492 per student for FY 2015. The FY 2014 level is set at \$9,306. The changes made to the foundation level funding, and the various add-ons are depicted in the following tables:

Weightings applied to counts of students enrolled at certain grade levels		
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

General Education Add-ons			
Level / Program	Definition	Weighting	Per Pupil Supplemental Funds
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

Special Education Add-ons			
Level/ Program	Definition	Weighting	Per Pupil Supplemental Funds
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.	1.20	\$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	More than 24 hours per week which may include	3.49	\$33,127

³⁹ By amending 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 *et seq.*).

Special Education Add-ons			
Level/ Program	Definition	Weighting	Per Pupil Supplemental Funds
Education	instruction in a self-contained (dedicated) special education school other than residential placement.		
Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per student basis 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 attorney's fees.	0.089	\$845
Residential	DCPS 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

Residential Add-ons			
Level/ Program	Definition	Weighting	Per Pupil Supplemental Funds
Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a DCPS 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 DCPS 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 DCPS 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 proficient students living in a DCPS or public charter school that provides students with room and board in a residential setting.	2.874	\$27,280
LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a DCPS 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 Supplemental Funds
Special Education Level	Additional funding to support the summer school/program needs for students who require	0.063	\$598

Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)			
Level/ Program	Definition	Weighting	Per Pupil Supplemental Funds
1 ESY	extended school year services in their IEPs.		
Special Education Level 2 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.227	\$2,155
Special Education Level 3 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$4,661
Special Education Level 4 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs	0.489	\$4,642

Financial Plan Impact

With these changes made in the foundation level funding, in FY 2015, District of Columbia Public Schools would receive \$701,344,630 for its instructional budget through the UPSFF. Public charter schools would receive \$552,267,058 for their instructional budgets and \$121,861,938 for the facilities allowance, bringing their collective local budget to \$674,128,996.

Subtitle (IV)(B) - Alternative School Establishment Act of 2014

Background

This subtitle gives⁴⁰ the Office of the State Superintendent of Education (OSSE) the authority to designate schools or programs as "alternative" so that they receive alternative education funding through the Uniform per Student Funding Formula. The subtitle defines a school or program as eligible for alternative status if at least 70 percent of its students qualify for alternative education. It defines a student as needing alternative education if the student is 18 years old or younger (or up to 24 in some cases) and meets one of the following criteria:

- Is under court supervision;
- Has a history of being on long-term suspension or receiving multiple short-term suspensions within one school year;
- Has been expelled;
- Has withdrawn from the school system for a period of nine weeks or more and is seeking readmission;
- Has a history of severe absenteeism or truancy;
- Is committed to the Department of Youth Rehabilitation Services;
- Has been incarcerated in an adult correctional facility;
- Is pregnant or parenting;

⁴⁰ By amending 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 *et seq.*).

- Is receiving treatment for drug abuse;
- Has a history of violence; or
- Is severely over-aged and/or under-credited.

Schools or programs seeking "alternative" designation must provide specialized instruction to meet students' unique needs. Alternative schools' academic programming must culminate in the granting of a high school diploma or its equivalent.

Each year OSSE will accept applications from schools or programs wishing to be considered for "alternative" status. OSSE will also create a reapplication process for schools wishing to renew their status.

Financial Plan Impact

In FY 2015, 1,485 public school students are expected to be enrolled in an alternative school or program. A total of \$20.3 million in formula funding (before add-ons) will be allocated to District of Columbia Public Schools and public charter schools on behalf of these students.

Subtitle (IV)(C) – District of Columbia Public Charter School Board Funding Amendment Act of 2014

Background

This subtitle increases⁴¹ the percentage of the D.C. Public Charter Schools (DCPCS) budget paid to the D.C. Public Charter School Board (PCSB) from 0.5 percent to 1 percent.

Financial Plan Impact

Increasing the portion of the DCPCS budget going to the PCSB to 1 percent will result in an additional \$3.37 million being transferred from DCPCS to the PCSB in FY 2015. This amount is expected to grow in subsequent years due to increases in the DCPCS budget from charter school enrollment growth. The table below gives a year-by-year breakdown of the increase in transfers due to the subtitle.

Estimated Impact of Subtitle (IV)(D) - District of Columbia Public Charter School Board Funding Amendment Act of 2014, FY 2015 - FY 2018 (\$ in thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	4-Year Total
Increase in money transferred from DCPSC to PCSB ¹	\$3,371	\$3,438	\$3,507	\$3,577	\$13,893

Table Notes

¹Assumes a 2 percent annual increase in transferred funds due to projected increases in charter school enrollment.

⁴¹ By amending Section 2211 of the Balanced Budget Downpayment Act II, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2))

Unlike prior years, in FY 2015 the PCSB will be funded entirely by the O-type funds received from DCPCS, which will total \$6.74 million if the subtitle is approved. Local funds that previously went to the PCSB (\$1.16 million in FY 2014) will be shifted to the Deputy Mayor for Education's office for the My School D.C. Common Lottery.

Subtitle (IV)(D) – Preferences in Admission for Public Charter Schools Act of 2014

Background

The subtitle creates⁴² new preferences in the charter school admissions lottery for the following groups of students:

- Children of full-time employees of public charter schools;
- Children with individualized education programs (typically these are students receiving special education services); and
- Children who have been committed to the custody of the District of Columbia in the 12 months prior to applying to a public charter school.

Financial Plan Impact

This subtitle does not have a fiscal impact on the proposed FY 2015 through FY 2018 budget and financial plan. The lottery preferences would only affect District expenditures if they impacted the total number of students or types of students choosing to enroll in the public school system. This effect is unlikely and if it did occur it would be extremely difficult to separate the lottery preferences' impact on enrollment from effects due to changes in population or parental preferences.

Subtitle (IV)(E) – Educational Continuity Act of 2014

Background

This subtitle waives⁴³ the tuition of D.C. public school students who used to be wards of the District but no longer live in D.C. The waiver applies for up to three years after the child ceases being a ward of the District.

Financial Plan Impact

This subtitle is not expected to have a fiscal impact. The subtitle's residency waiver would be used so rarely that any resulting reduction in tuition payments would be negligible.⁴⁴ Therefore, there are no tuition payment reductions incorporated into the proposed FY 2105 through FY 2018 budget and financial plan.

⁴² By amending the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*).

⁴³ By amending the District of Columbia Nonresident Tuition Act, approved September 8, 1960 (Pub. L. 86-725; D.C. Official Code §38-302).

⁴⁴ According to the Deputy Mayor for Education's Chief of Staff, Scheherazade Salimi, in a phone conversation on April 1, 2014.

Subtitle (IV)(F) – Common Lottery Advisory Board Establishment Act of 2014

Background

This subtitle establishes⁴⁵ the District of Columbia Common Lottery Advisory Board (CLB), which will advise the Deputy Mayor for Education on the development and implementation of the common lottery system for public schools, both traditional and charter. The 10-member CLB will include an executive director and a total of nine representatives from the offices of the Deputy Mayor for Education, D.C. Public Schools, D.C. Public Charter Schools, and the Office of the State Superintendent of Education. The subtitle authorizes the CLB to secure private funding to develop and run the lottery system.

Financial Plan Impact

The CLB has a proposed FY 2015 budget of \$1.1 million. This money will come from a shift in local funds from the D.C. Public Charter School Board (PCSB) to the CLB. The District is able to shift these funds because in FY 2015 the PCSB is expected to receive twice the amount of money than it has in previous years from D.C. Public Charter Schools.⁴⁶

In FY 2014 the common lottery was entirely funded with private donations, but the amount of private funds the CLB will raise in FY 2015 is uncertain. The CLB will not need budget authority to spend privately raised money, but it will need fully executed grant agreements.

Subtitle (IV)(G) – Education Funding Formula Equity Amendment Act of 2014

Background

This subtitle postpones⁴⁷ the requirement that services provided by District of Columbia government agencies to schools must be provided on an equal basis to D.C. Public Schools and public charter schools. Under current law, service parity has to be implemented by FY 2015. This subtitle postpones the requirement to FY 2016.

Financial Plan Impact

The fiscal impact of this subtitle has been incorporated into the proposed FY 2015 through FY 2018 budget and financial plan. Providing services on an equal basis could significantly change the funding structure for D.C. Public Schools, but the Office of Revenue Analysis cannot provide an estimate on the magnitude of this change before the term "equal basis" is clarified by the Mayor and the Council.

⁴⁵ By amending Section 202 of the Public Education Reform Amendment Act, effective June 12, 2007 (D.C. Law 17-9, D.C. Official Code §38-191).

⁴⁶ Pending approval the District of Columbia Public Charter School Board Funding Amendment Act of 2014 (Subtitle IV-C of the Budget Support Act of 2014).

⁴⁷ By amending 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).

TITLE V- HEALTH AND HUMAN SERVICES

Subtitle (V)(A) – Department on Disability Services Amendment Act of 2014

Background

This subtitle authorizes⁴⁸ the Department on Disability Services (DDS) to enter into an agreement with the Department on Health Care Finance (DHCF), so the two agencies can work together on policy design and rate setting for services targeting people with intellectual and developmental disabilities (IDD) and their families.

The subtitle also creates a Family Support Council under DDS, mainly composed of people with IDD and family members. The members will work to develop and implement an action plan to inform policies and programs that support families

Financial Plan Impact

Authorizing DDS and DHCF to enter into an agreement to develop policies and services for individuals with IDD does not have an impact on the budget and financial plan.

Subtitle (V)(B) – Department of Health Functions Clarification Amendment Act of 2014

Background

This subtitle provides authority⁴⁹ in FY 2015 for the Department of Health (DOH) to issue grants to organizations for the following services:

- HIV screening and prevention (up to \$1,550,000);
- Clinical nutritional home delivery services for individuals living with cancer and other life-threatening diseases;
- Ambulatory health services;
- Poison control hotline and prevention education services;
- Operations and primary care services for school-based health clinics; and
- A teen pregnancy prevention program.

The subtitle also allows DOH to charge for the services it provides in its health clinics that treat communicable diseases.⁵⁰ DOH will be able to seek reimbursements from private insurers and Medicaid and charge uninsured patients based on their ability to pay. Payments received for these services will be deposited into the Communicable and Chronic Diseases Prevention and Treatment Fund ("Fund"), a non-lapsing O-type account. The money in this fund will go towards the cost of operating the health clinics.

⁴⁸ By amending 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.*).

⁴⁹ By amending 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.*).

⁵⁰ Including tuberculosis, HIV/AIDS, hepatitis, and sexually transmitted diseases.

Financial Plan Impact

DOH's proposed FY 2015 through FY 2018 budget and financial plan includes the funds to support the grants named in the subtitle. The proposed budget and financial plan does not, however, incorporate any revenues that might be generated from billing patients at DOH's health clinics. Once the billing process is well-established, DOH might be able to generate up to \$2.2 million a year,⁵¹ but the amount it will take in during FY 2015 is uncertain. FY 2015 revenues depend on how long it takes the health centers to get billing processes in place and how smoothly the billing process goes. If DOH runs into problems with billing Medicaid or private insurance, then revenues could be less than expected. DOH will be able to provide more precise revenue projections after the billing process is in place.

Subtitle (V)(C) – Medical Assistance Program Amendment Act of 2014

Background

This subtitle allows the Department of Health Care Finance (DHCF) to submit to the federal Centers for Medicaid and Medicare Services (CMS) the state plan amendments, modifications, or waivers required to:

- Implement amendments to the Elderly and Individuals with Physical Disabilities waiver needed to ensure compliance with federal law and promote best practices;
- Establish new payment rates for Federally-Qualified Health Centers;
- Establish a new payment method and make other improvements to the payment methodology for hospital inpatient treatment;
- Establish a new payment method and make other improvements to the payment methodology for hospital outpatient services;
- Implement amendments to the Intellectual Disabilities/Developmental Disabilities waiver needed to ensure compliance with federal law and promote best practices;
- 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
- Update transplantation coverage standards and provide coverage for lung transplantation and autologous bone marrow transplantation.

Under current law, DHCF must submit all Medicaid state plan amendments and waivers to the District of Columbia Council for a 30 day passive review before sending them to CMS. This subtitle would waive Council review for the initiatives listed above, which would speed up the approval and implementation of these items.

⁵¹ According to Michael Kharfen, DOH's Senior Deputy Director of the HIV/AIDS, Hepatitis, STD & TB Administration.

Financial Plan Impact

Discontinuing legislative oversight of proposed state plan amendments and waivers does not have a fiscal impact; however, it would eliminate some analytical review of these proposals, including legal sufficiency review and fiscal impact analysis.

Federal and District anti-deficiency laws⁵² prohibit District officers and employees from exceeding agency appropriations in any fiscal year, so DHCF would still need to budget and appropriate funds required to implement the amendments and waivers or absorb future costs in its budget and financial plan, and the Agency Fiscal Officer would still need to certify that funds are sufficient for implementation.

Subtitle (V)(D) – Department of Behavioral Health Establishment Amendment Act of 2014

Background

This subtitle moves the Tobacco Control Program (TCP) from the Department of Behavioral Health (DBH) to the Department of Health (DOH). The TCP conducts outreach on smoking prevention and cessation and also monitors the implementation of the District's tobacco-free laws.

Financial Plan Impact

DBH has included \$1.14 million in its proposed FY 2015 budget for the TCP. The budget includes \$495,000 in local funds and nearly \$646,000 in federal grants. DOH has not included any TCP funding in its FY 2015 budget. If the subtitle is implemented, DBH will need to transfer these funds to DOH.

Subtitle (V)(E) – Department of Behavioral Health Enterprise Fund Amendment Act of 2014

Background

This subtitle establishes the Department of Behavioral Health (DBH) Enterprise Fund (the "Fund"), a lapsing, segregated account within the District of Columbia General Fund. The Fund will include proceeds from the following:

- The cafeteria on the St. Elizabeths campus;
- Fees for trainings done by the DBH Training Institute; and
- Repayment of loans given out by DBH through its housing bridge subsidy program. The loans help individuals with mental health disabilities transition from supportive housing to independent living.

The Fund will be used to pay for management and operation of the cafeteria, the Training Institute, and DBH's supported housing programs.

⁵² 31 U.S.C. § 1341 (2007) and D.C. Official Code § 47-355.01 *et seq.* (2001).

Financial Plan Impact

DBH cannot yet estimate cafeteria revenues because the cafeteria is still in the planning process and has not yet been built. DBH is also unsure how much money it will recoup through housing bridge subsidy repayments. DBH believes that the trainings it provides will bring in approximately \$160,000 to \$245,000 per year, depending on which classes it offers. If the subtitle is approved, DBH plans to start charging for trainings at the beginning of FY 2015. However, because these plans are not yet firm it is not possible to provide a reliable estimate of the revenues that will be deposited into the fund.

Subtitle (V)(F) – LIHEAP Heat and Eat Eligibility Preservation Amendment Act of 2014

Background

This subtitle requires all participants in Supplemental Nutrition Assistance Program (SNAP), who do not receive standard benefits through the Low-income Home Energy Assistance program (LIHEAP), to receive a minimum annual benefit required to maximize SNAP's standard utility allowance.⁵³ Current law⁵⁴ requires all SNAP participants be enrolled in LIHEAP and any participants not receiving standard LIHEAP benefits must receive at least \$1.

Financial Plan Impact

Approximately 70,000 households receive the minimum \$1 LIHEAP benefit annually. The subtitle will increase the minimum payment to \$20.01 for these households, and therefore will cost approximately \$1.3 million per year.

Subtitle (V)(G) – Health Services Planning and Development Amendment Act of 2014

Background

When a health service provider wants to provide a new service⁵⁵ it must obtain a certificate of need from the Department of Health (DOH). This subtitle would eliminate⁵⁶ the certificate of need requirement for providers of outpatient substance abuse treatment regulated by the Department of Behavioral Health.

⁵³ The minimum that needs to be met is currently \$20.01, as referenced in the Agriculture Act of 2014) approved on February 7, 2014 (Pub. Law. 113-79; 128 Stat. 649).

⁵⁴ Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c)).

⁵⁵ Any medical or clinical related service, including services that are diagnostic, curative or rehabilitative, as well as those related to alcohol abuse, drug abuse, inpatient mental health services, home health care, hospice care, medically supervised day care, and renal dialysis.

⁵⁶ By amending Section 2 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 *et seq.*).

Financial Plan Impact

While this subtitle will reduce the number of certificates of need issued by DOH, the reduction will be small enough that it won't have a significant impact on DOH's operations or fee revenues.

Subtitle (V)(H) – Temporary Assistance for Needy Families Amendment and Cost of Living Adjustment Act of 2014

Background

The subtitle establishes an automatic, annual cost of living adjustment (COLA) for monthly Temporary Assistance for Needy Families (TANF) benefits. The annual COLA is based on the consumer price index for all urban consumers for all items (CPI) published by the U.S. Department of Labor. The COLA would increase annual payments the beginning of each fiscal year. For fiscal years 2015 and 2016, the increase would be based on annual CPI. Then, in FY 2017, the payment level would increase by 46 percent and then revert back to annual CPI in the following years.

Financial Plan Impact

Increasing monthly TANF payments as described in the bill will cost \$1.5 million in FY 2015 and \$32.2 million over the four year financial plan. The cost of the subtitle has been incorporated in the proposed FY 2015 budget and financial.

Currently, the average monthly payment for TANF families eligible for the full grant amount is \$374. For families that have exceeded the 60 month time limit and do not qualify for a time-limit exemption, the average monthly benefit will be \$131 in FY 2015, per the graduated reduction schedule under current law. With the proposed COLA adjustment in FY 2015, the full grant amount will increase to \$383 and the reduced grant to \$134. Additionally, assistance payments for the District's General Assistance, Refugee Assistance, and Interim Disability programs will also increase, as the benefit amounts for these programs are set at the same level as TANF.⁵⁷ General Assistance and Refugee Assistance are entitlement programs, so the estimated cost increase for both of these programs is approximately \$92,000 in FY 2015 and \$800,000 over the four year financial plan. Finally, Interim Disability is not an entitlement program; therefore, the payment increase will not have a budget impact but rather reduce the number of recipients the Department of Human Services (DHS) can serve through this program.⁵⁸ The table below details the estimated increases in the monthly and annual expenditures, as well as the projected TANF caseload and other assumptions included in this analysis.

⁵⁷ D.C. Official Code § 4-205.05a; § 4-204.07; and § 4-209.04.

⁵⁸ DHS serves approximately 1,000 individuals at an average monthly benefit level of \$270.

Estimated Fiscal Impact of Subtitle (V)(H), Temporary Assistance for Needy Families Amendment and Cost of Living Adjustment Act of 2014 , FY15-FY18					
	FY 2015	FY 2016	FY 2017	FY 2018	4-Year Total
UNIT COSTS					
Average monthly TANF grant	\$374	\$374	\$374	\$374	-
60 month + monthly TANF grant ^a	\$131	\$0	\$0	\$0	-
Projected monthly TANF grant with COLA Adjustment ^b	\$383	\$392	\$573	\$586	-
Projected 60 month + TANF grant with COLA Adjustment ^b	\$134	\$0	\$0	\$0	
TOTAL COSTS (\$ in thousands)					
Additional TANF grant expenditures ^{b, c, d}	\$1,430	\$2,445	\$26,728	\$28,578	\$59,180
Additional Cost of Implementing General Assistance ^{b, e}	\$21	\$43	\$470	\$503	\$1,038
Additional Cost of Implementing Refugee Assistance ^{b, e}	\$72	\$82	\$288	\$303	\$745
TOTAL COST OF IMPLEMENTATION (\$ in thousands)	\$1,523	\$2,571	\$27,486	\$29,384	\$60,963

Table Notes

^aThis is the average monthly payment for recipients that have exceeded the 60-month time limit. After FY 2015, payments for these recipients will be eliminated.

^bAssumes a 2.4 percent COLA increase in all years except, FY 2017 when the increase would be 46 percent.

^cEstimated based on the full TANF caseload as of August 2013 which was 17,083.

^dEstimated number of cases at full grant includes those cases that qualify for a time-limit exemption and transferred to POWER under D.C. Law 20-61, with the exception of the exemption for those enrolled in an accredited postsecondary education program or a Department of Employment Services approved job training program. The Office of the Attorney General issued an opinion on September 24, 2013 to the Mayor's Budget Director stating that section 5153(c)(6) of the FY 2014 Budget Support Act could not be legally implemented due to insufficient funding.

^eThe caseloads for the Refugee Assistance and General Assistance programs are approximately 125 and 260, respectively.

TITLE VI – TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Subtitle (VI)(A) – Vault Rent Amendment Act of 2014

Background

The District Department of Transportation (DDOT) partners with the Office of Tax and Revenue (OTR) to bill commercial and residential buildings for their use of underground public space known as vaults. The most common types of vaults are areas of underground parking garages that extend into public space. DDOT permits and measures vault sizes. OTR applies a per-square foot value and a utilization factor, based on the level of the vault,⁵⁹ to the size of the vault to calculate the annual rental value.

The subtitle makes a significant change to the management of vaults by transferring the authority to charge and collect for the occupancy of underground vaults from DDOT to the Office of the Chief Financial Officer (OCFO). The OCFO will subsequently make a number of changes to the billing processes, including:

- Move the billing due date from June 30th to no later than September 15th;
- Create separate tax entities for condominium associations, and bill these entities for vault fees;
- Authorize the OCFO to alter any condominium land assessment as needed;⁶⁰
- Institute a \$100 flat fee for fuel oil tanks;
- Authorize the OCFO to charge fees for actions taken by the Mayor to repair or seal off a vault; and
- Allow the OCFO to waive interest penalties, compromise charges, or offer delinquent properties for tax sale.

DDOT will maintain responsibility for verifying the area of a vault and setting the utilization factor.

Financial Plan Impact

The subtitle will generate \$10,000 in FY 2015 and \$40,000 over the four year financial plan period from the institution of a \$100 flat fee for fuel oil tanks.⁶¹

The District Department of Transportation funds one full-time employee within the OCFO's Office of Tax and Revenue to implement vault billing and that funding will be sufficient in the future to implement the subtitle's provisions. Additionally, there are no anticipated negative impacts to shifting the billing due date from June 30th of each year to September 15th of each year.

⁵⁹ The utilization factor for the first level of a vault is 1.20% and for each subsequent level is 0.30%.

⁶⁰ This can already been done with other vault containing properties where the full building receives an assessed land value.

⁶¹ The billing for fuel oil tanks has been stalled since 2007.

Subtitle (VI)(B) – Public Space Rental Amendment Act of 2014

Background

Currently, property owners can apply for a permit from the District Department of Transportation (DDOT) to operate a sidewalk café in public space. The permit recipient pays, through the Office of Tax and Revenue, \$5 per square foot of public space occupied for an unenclosed sidewalk café and \$10 per square foot for an enclosed café. The total bill is prorated based on the number of months the café is operational.

The subtitle increases the fees and eliminates the pro-rata calculation of bills. Beginning July 1, 2015, the unenclosed café fee will rise to \$8.30 per square foot and the enclosed café fee will rise to \$16.60 per square foot. The subtitle provides the Mayor the authority to further modify the rate in FY 2016. The subtitle also transfers the authorization to rent surface public space, such as a surface parking lot located in public space, and charge a fee for that rental from the Council of the District of Columbia to the Mayor. Lastly, the bill increases the penalty for violating public space rental and utilization laws and regulations from \$300 to \$1,000.

Financial Plan Impact

Increasing sidewalk café fees will result in increased revenues of over \$1 million in FY 2015 and \$4.3 million over the four year financial plan period.

Subtitle (VI)(C) – Private Sponsorship of Capital Bikeshare and Other Transportation Facility and Equipment Amendment Act of 2014

Background

Capital Bikeshare is a bike sharing system of over 300 stations and over 2,500 bicycles spread across the District, Arlington County and Alexandria City, VA, and Montgomery County, MD. The system allows individuals to borrow a bike for a few hours or a day or sign up for a membership that allows unlimited usage during the membership period.⁶²

The subtitle establishes the authority for the District Department of Transportation (DDOT) to enter into private sponsorship agreements for Capital Bikeshare.⁶³ Sponsorship funds received for the bikeshare system will be deposited into the Bicycle Sharing Fund,⁶⁴ while sponsorship funds for other facilities will be deposited into the DDOT Enterprise Fund for Transportation Initiatives.⁶⁵

⁶² The first 30 minutes of every trip are free, with additional fees incurred for each subsequent 30 minute period.

⁶³ In addition to the bikeshare system, DDOT the bill also gives DDOT the authority to seek sponsors for other transportation facilities and equipment, such as a future streetcar stop.

⁶⁴ District Department of Transportation Bicycle Sharing Fund Act of 2012, effective March 19, 2013 (D.C. Law 19-234; D.C. Official Code § 50-921.16).

⁶⁵ Fiscal Year 2012 Budget Support Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 50-921.13).

Financial Plan Impact

There is no fiscal impact of the subtitle on the proposed FY 2015 through FY 2018 budget and financial plan. Currently, there are no private sponsorship agreements for Capital Bikeshare or any other transportation facilities.

Subtitle (VI)(D) – District Department of Transportation Managed Lane Authorization Act of 2014

Background

The subtitle gives the District Department of Transportation (DDOT) the authority to implement managed lane policies, which would be used to ration access to lanes based on, for example, vehicle occupancy, or through a toll system. At least one lane of traffic on a managed lane roadway must be free of charge to users.

Financial Plan Impact

DDOT commissioned a managed lane study in 2013, but there are no current plans to implement managed lanes.

Subtitle (VI)(E) – Integrated Premium Transit System Amendment Act of 2014

Background

In the District, the District Department of Transportation (DDOT) has the authority to plan, develop, finance, control, operate, and regulate a streetcar system or to enter into a third party contract to accomplish the same.⁶⁶ Additionally, the Fiscal Year 2014 budget dedicated resources in the Pay-as-you-go Capital Account ("Paygo Account")⁶⁷ to construction of the streetcar system.

The bill broadens DDOT's authority so it can plan, manage, and contract for all or any parts of an Integrated Premium Transit System ("System").⁶⁸ The System is defined in the bill to include streetcar, bus services,⁶⁹ and related transit facilities. The bill also expands the use of the Paygo Account to support the System.

Under the provisions of the bill, DDOT's Infrastructure and Project Administration will oversee the development of the System, and DDOT's Transportation Policy and Planning Administration will operate, maintain, and regulate the DC Circulator and the DC Streetcar.

⁶⁶ District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; 60 DCR 1709).

⁶⁷ D.C. Official Code § 47-392.02(f).

⁶⁸ This could include design, engineering, construction, and operations and maintenance.

⁶⁹ This only includes bus services operated or managed by or on behalf of the District government.

The Honorable Phil Mendelson

FIS: "Fiscal Year 2015 Budget Support Act of 2014," Draft legislation shared with the Office of Revenue Analysis on April 3, 2014

Financial Plan Impact

The subtitle provides DDOT the authority it needs to implement an Integrated Premium Transit System, replacing what was provided for the streetcar system.

The Paygo Account will receive 25 percent of any projected local funds revenue of each year in excess of the local funds revenue in the budget and financial plan approved May, 2015. The first year the Paygo Account will be funded is Fiscal Year 2017. If the account is funded that year because projected revenues are greater than Fiscal Year 2016 revenues, then those resources will be dedicated to the System until construction is completed.

Subtitle (VI)(F) – Pesticide Registration Fund Amendment Act of 2014

Background

The District Department of the Environment (DDOE) charges fees for the registration of pesticide products and the licensing of individuals to be pesticide applicators. Fees collected from these activities are deposited into the Pesticide Registration Fund (Fund) and are expended on DDOE's pesticide regulation programs.

The subtitle expands the allowable uses of Fund resources to include DDOE's chemical, tank, and land remediation programs, which fall under DDOE's Toxic Substances Division.

Financial Plan Impact

The Fund's resources can now be expended across additional DDOE programs within the Toxic Substances Division.

TITLE VII- FINANCE AND REVENUE

Subtitle (VII)(A) – Subject to Appropriations Amendment Act of 2014

Background

The subtitle authorizes expenditures and revenue reductions for the following laws, which had been passed subject to appropriations, but are now funded in the proposed FY 2015 through FY 2018 budget and financial plan:

- Earned Sick and Safe Leave Amendment Act of 2013;⁷⁰
- Minimum Wage Amendment Act of 2013;⁷¹
- Electric Company Infrastructure Improvement Financing Act of 2014;⁷²
- Small and Certified Business Enterprise Development and Assistance Amendment Act of 2014;⁷³ and
- Senior Citizen Real Property Tax Relief Act of 2014.⁷⁴

The subtitle also amends the Tax Clarity Equity Amendment Act of 2013⁷⁵ to include a subject-to-appropriations clause. This Act allows taxpayers to claim a credit for or refund of an overpayment of District taxes for the years 1998 through 2000. This allowance was expected to reduce franchise tax revenue by \$4 million per year starting in FY 2018. At the time this Act was passed, the cost fell outside the window of four-year financial plan. The Office of the Chief Financial Officer incorporated the effect of the Act in the financial plan in its February 2014 revenue certification, which was the first time FY 2018 projections were published.

The proposed inclusion of a subject-to-appropriation clause means this Act will not be effective until the cost of providing this credit or refund is budgeted for in an approved budget and financial plan. As a result, revenues will increase by \$4 million starting FY 2018.

Financial Plan Impact

Repealing the subject to appropriations provision of the above-mentioned laws authorizes expenditures of approximately \$4.2 million in FY 2015 and \$20.8 million over the four-year financial plan.

Subject to Appropriations Amendment Act of 2014, Expenditures					
FY 2015-FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four Year Total
<i>Expenditure Increases:</i>					
Earned Sick and Safe Leave Amendment Act of	\$253	\$188	\$192	\$192	\$825

⁷⁰ Effective February 22, 2014 (D.C. Law 20-89; 60 DCR 317).

⁷¹ Effective March 11, 2014 (D.C. Law 20-29; 60 DCR 778).

⁷² Enacted March 3, 2014 (D.C. Bill 20-387, 60 DCR 1882).

⁷³ Introduced on March 7, 2013 (D.C. Bill 20-181)

⁷⁴ Enacted March 25, 2014 (D.C. Act 20-303).

⁷⁵ Effective February 22, 2014 (D.C. Law 20-85, 60 DCR 184).

Subject to Appropriations Amendment Act of 2014, Expenditures					
FY 2015-FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four Year Total
2013					
Minimum Wage Amendment Act of 2013	\$383	\$273	\$281	\$281	\$1,218
Electric Company Infrastructure Improvement	\$3,400	\$4,100	\$4,960	\$5,700	\$18,160
Senior Citizen Real Property Tax Relief Act of 2014	\$129	\$83	\$86	\$89	\$387
Total Program Expenditure	\$4,165	\$4,644	\$5,519	\$6,262	\$20,590

Source: ORA Calculations

Additionally, making Tax Clarity Equity Amendment Act subject to appropriations will increase local fund revenue by \$4 million annually starting FY 2018, and the Senior Citizen Real Property Tax Relief Act will reduce real property tax revenues by \$8.5 million in FY 2015 and \$36.5 million over the four-year financial plan. The net revenue reduction is shown in the table below.

Subject to Appropriations . Amendment Act of 2014, Tax Expenditures					
FY 2015-FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four Year Total
<u>Revenue Impact</u>					
Senior Citizen Real Property Tax Relief Act of 2014 - revenue reduction	\$8,472	\$8,813	\$9,168	\$10,069	\$36,522
Tax Clarity Equity Amendment Act of 2013 - revenue increase	-	-	-	(\$4,000)	(\$4,000)
Net Revenue Reduction	\$8,472	\$8,813	\$9,168	\$6,069	\$32,522

Source: ORA Calculations

Subtitle (VII)(B) – Tax Revision Commission Policy Recommendations Implementation Act of 2014

Background

The proposed subtitle makes the following changes to the District’s tax laws:

For *individual income taxes* changes the income tax rates for different brackets beginning Tax Year 2015. Specifically, beginning Tax Year 2015, the subtitle reduces the marginal tax rate on incomes between \$40,000 and \$60,000 from 8.5 percent to 7.5 percent.⁷⁶ At the same time, it maintains the marginal tax rate on incomes above \$350,000 at the current statutory rate of 8.95 percent. Current law reduces this rate to 8.5 percent beginning tax year 2016.⁷⁷

For *franchise taxes*, the subtitle reduces the tax rate on businesses, which is balanced by a change in the apportionment factor that would be solely based on a company’s sales in the District, and not on other forms of presence, such as the size of its payroll or property. Beginning Tax Year 2015, the

⁷⁶ D.C. Official Code § 47-1806.03.

⁷⁷ *Ibid.*

subtitle reduces the franchise tax rate on corporations⁷⁸ and unincorporated businesses⁷⁹ from 9.975 percent to 9.4 percent. At the same time, it changes⁸⁰ the calculation used to apportion to the District the net business income of entities that have incomes derived from sources both within and outside of the District. The current formula equally weights property and payroll factors for the business entity, but sales factor⁸¹ is weighted twice.^{82,83} The proposed subtitle will switch to a single weighted sales factor—that is the apportionment factor would be the same as the sales factor, which is measured as the share of the company's sales in the District against its total shares.

Business apportionments for the District are expected to increase when solely based on the sales factor because the District is generally a destination for sales, and not a producer and exporter of taxable goods and services. Thus, taxable sales constitute a larger share of a company's taxable transactions compared to real property and payroll. These two measures of presence tend to be larger for manufacturing firms and large service providers, of which the District has few.

The proposed subtitle will also exempt from unincorporated business franchise tax entities that trade on their own accounts.⁸⁴ The exemption will not apply to securities dealers, investment banks, or REITS.

Finally, the proposal will tax all tobacco products other than premium cigars at rates similar to cigarettes. Currently cigarettes are taxed at the wholesale level at a rate \$2.50 per pack of 20 cigarettes plus a surcharge equivalent of 6 percent of retail prices.

Financial Plan Impact

The fiscal impact of the proposed changes, shown in the table below, is already incorporated into the FY 2015 through FY 2018 budget and financial plan. The tax reductions in FY 2015 are partly offset by the \$18 million the District has put aside to pay for the recommendations of the Tax Revision Commission. This amount is not included in the table below, but in the financial plan for FY 2015 through FY 2018 period. The table on the next page depicts the impact of each provision.

⁷⁸ D.C. Official Code § 47-1807.02(a).

⁷⁹ D.C. Official Code § 47-1808.03(a).

⁸⁰ D.C. Official Code § 47-1810.02(d).

⁸¹ The factor for each of these areas is the share of District tax payments in the total tax payments. For example, let S stand for the sales factor, S_{DC} , sales tax payments to D.C., and S_{OTHER} for sales tax payments to all other jurisdictions from where the entity derives income. The sales factor is calculated as $S = \frac{S_{DC}}{S_{DC} + S_{OTHER}}$.

⁸² Let A_{DC} stand for business income apportioned to DC, and P , PR , and S stand for property, payroll, and sales factors respectively. Under current law, the apportionment formula is $A_{DC} = \frac{P + PR + 2S}{4}$; under proposed law, it would be the same as the sales factor.

⁸³ Twenty four states use an apportionment method that weights sales more heavily, or provide this method as an option to the taxpayer. Twelve states use only sales as the apportionment factor. Virginia, for example, uses a double-weighted sales factor, and Maryland allows either double-weighted or single sales factor.

⁸⁴ D.C. Official Code § 47-1808.01.

Estimated Fiscal Impact of Subtitle VII(B) - Tax Revision Commission Policy Recommendations Implementation Act of 2014, FY 2015 – FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four-Year Total
Individual income tax provisions	(\$25,013)	(\$7,010)	(\$6,810)	(\$6,506)	(\$45,339)
Reduce Marginal Tax Rate on Income Between \$40,000 and \$60,000 from 8.5% to 7.5%	(\$25,013)	(\$25,783)	(\$26,618)	(\$27,205)	(\$104,619)
Keep Marginal Tax Rate on Incomes Above \$350,000 at the Current Statutory Rate of 8.95%		\$18,773	\$19,808	\$20,699	\$59,280
Franchise Tax Provisions	(\$4,400)	(\$4,400)	(\$4,400)	(\$4,400)	(\$17,600)
Use Single Weighted Sales Apportionment Factor	\$20,000	\$21,015	\$21,977	\$22,938	\$85,930
Reduce Business Income Tax Rate from 9.975% to 9.4%	(\$20,000)	(\$21,015)	(\$21,977)	(\$22,938)	(\$85,930)
Exempt entities that trade on their own accounts from unincorporated business franchise tax	(\$4,400)	(\$4,400)	(\$4,400)	(\$4,400)	(\$17,600)
Sales / Use	\$7,000	\$6,879	\$6,761	\$6,644	\$27,284
Unify Taxation of Tobacco Products	\$7,000	\$6,879	\$6,761	\$6,644	\$27,284
Total Fiscal Impact	(\$22,413)	(\$4,531)	(\$4,449)	(\$4,262)	(\$35,655)

Source: ORA Calculations based on tax return data for Tax Year 2012

Subtitle (VII)(C) – The Urban Institute Real Property Tax Abatement Repeal and Real Property Tax Rebate Act of 2014

Background

The proposed subtitle repeals “The Urban Institute Real Property Tax Abatement Act of 2009.”⁸⁵ This Act authorized a 10-year, \$15 million real property tax abatement for The Urban Institute. The tax abatement was never utilized; thus this subtitle repeals it, and in its place authorizes The Urban Institute to claim a rebate on the amount of real property tax owed according to its lease agreement. The rebate is authorized for 10 years, starting with the date the non-profit leases new office space, and the rebate amount is capped at \$1 million annually.

Financial Plan Impact

The proposed real property tax rebate is expected to cost \$1 million per year starting FY 2015, and \$4 million over the four-year financial plan period. The rebate becomes effective once The Urban

⁸⁵ Effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 47-4624).

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FIS: "Fiscal Year 2015 Budget Support Act of 2014," Draft legislation shared with the Office of Revenue Analysis on April 3, 2014

Institute relocates and leases new office in the District. The subtitle will continue to have a fiscal impact beyond the financial plan period since the rebate is authorized for 10 years.

Estimated Fiscal Impact of Subtitle VII(C) – Urban Institute Real Property Tax Abatement Repeal and Real Property Tax Rebate Act of FY 2014, FY 2015– FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four-Year Total
Total Estimated Rebate	\$1,000	\$1,000	\$1,000	\$1,000	\$4,000

Subtitle (VII)(D) – Industrial Revenue Bond Security Interest Instrument Recordation Tax Exemption Amendment Act of 2014

Background

The subtitle exempts from taxation the recordation of a security instrument executed by a borrower in connection with a loan under the District’s Industrial Revenue Bond program. The majority of entities that take advantage of IRB’s are tax-exempt, and therefore not subject to recordation tax under current law. There are a few commercial and nonprofit entities that are not exempt from real property taxes and therefore would be subject to recordation tax; however, they are not taxed because the District’s practice has been to exempt these instruments, regardless of the underlying tax status of the entity, from recordation.⁸⁶

Financial Plan Impact

Because the District’s current practice is to exempt these types of security instruments from recordation tax, codifying this in the law will not have a negative revenue impact on the District’s budget and financial plan.

Subtitle (VII)(E) – Fiscal Year 2014 Budget Support Act Amendment of Act of 2014

Background

This subtitle amends the Fiscal Year 2014 Budget Support Act Amendment of 2014⁸⁷ to rename the “Innovation Fund” the “City Fund.” The Innovation Fund was established to support community non-profit organizations through grants.

Financial Plan Impact

The renaming of a fund has no impact on the budget and financial plan.

⁸⁶ The practice has been to exempt these transactions from recordation taxes because the security instruments are unified deeds of trust and therefore involve the financial interest of both the borrowing entity and the District government. The District’s financial interest is a small share of the total bond issuance.

⁸⁷ Effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472).

Subtitle (VII)(F) – Senior Citizen Real Property Tax Relief Amendment Act of 2014

The subtitle amends the Senior Citizen Real Property Tax Relief Act of 2014 to clarify that qualifying residents can have no more than 2 non-consecutive gaps of ownership that exceed 120 days.

Financial Plan Impact

The proposed clarification has no impact on the proposed FY 2015 through FY 2018 budget and financial plan. The fiscal impact estimate presented in Subtitle (VII)(A) already takes into account this requirement.

Subtitle (VII)(G) – Whitman Walker Tax Abatement Act of 2014

Background

This subtitle exempts Lot 129, Square 241 from real property taxes allocable to the portion of real property leased to the Whitman-Walker Clinic, Inc. (WWC). The WWC plans to lease the entire building located on the aforementioned property once renovations are completed in May of 2014. At this time, WWC would be responsible for 100 percent of real property taxes due. The estimated cost has been incorporated in the budget and financial plan.

Financial Plan Impact

The proposed real property tax abatement will reduce tax collections by approximately \$250,000 in FY 2015 and \$1.8 million over the four year financial plan.

Estimated Fiscal Impact of Subtitle VII(D) – Whitman Walker Abatement Act of FY 2014, FY 2015– FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Four-Year Total
Reduction in real property tax revenue	\$250	\$515	\$530	\$546	\$ 1,841

Subtitle (VII)(H) – Alternative Fuel Vehicle Conversion Act of 2014

Background

The subtitle institutes an income tax⁸⁸ credit, beginning in 2014, for the conversion of vehicles to run on alternative fuels.⁸⁹ The tax credit is for up to 50 percent of incurred equipment and labor costs, cannot exceed the taxpayer’s liability, and is non-refundable. The subtitle also bans the

⁸⁸ Includes personal, corporate, and unincorporated business income taxes.

⁸⁹ Alternative fuels are defined as at least 85 percent ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, biodiesel, electricity, and hydrogen.

registration of vehicles that run on petroleum diesel fuel. The credit will expire following Tax Year 2026.

At least twenty states and the federal government offer incentives for alternative fuel vehicle conversions. Incentives range from tax credits to rebates to grants. Most states⁹⁰ cap the amount of credit any one taxpayer can receive or limited the credit to one or two types of fuel.⁹¹ Additionally, many credits are limited to businesses or fleets.

Financial Plan Impact

Implementation of the subtitle will cost \$418,000 in FY 2015 and \$2.3 million over the four year financial plan period.

The subtitle allows an individual or business to claim a credit against its income taxes for up to 50 percent of the cost of converting a vehicle to run on alternative fuels. In scoring the cost of credits for vehicle conversions, the estimate only accounts for electric, flexible fuel, and propane conversions. Other fuel types, such as compressed natural gas, will see expansion over the financial plan period, but that expansion is expected to happen in public sector fleets and thus the need for the tax credit is negated. The analysis assumes an average conversion cost of \$19,000 per vehicle for 243 vehicle conversions from tax years 2014 through 2017.

Alternative Fuel Vehicle Conversion Act of 2014					
Cost^a of Title VII, Subtitle H					
FY 2015 – FY 2018 (in \$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Total
Reduction in income tax revenue	\$418	\$494	\$618	\$779	\$2,309

Table Note

^a Assumes all tax liabilities are sufficient to receive 100 percent of the credit for the Tax Year in which the activity took place.

Subtitle (VII)(I) – Alternative Fuel Infrastructure Incentive Act of 2014

Background

The subtitle institutes an income tax⁹² credit, beginning in 2014, for the installation of alternative fuel⁹³ infrastructure on a qualified alternative fuel vehicle refueling property.⁹⁴ The tax credit is for

⁹⁰ Oklahoma and Louisiana appear to be the only two states that offer a tax credit with no cap for vehicle conversions.

⁹¹ As examples, Kansas only allows for biomass conversions, West Virginia only offers credits for natural gas and propane conversions, and Colorado allows credits for electric, propane, and compressed natural gas.

⁹² Includes personal, corporate, and unincorporated business income taxes.

⁹³ Alternative fuels are defined as at least 85 percent ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, biodiesel, electricity, and hydrogen.

⁹⁴ These properties are defined as those that are owned or leased by an applicant and contain the necessary infrastructure to store and dispense alternative fuels to the public.

up to 50 percent of incurred costs,⁹⁵ cannot exceed the taxpayer's liability, and is non-refundable. In the case of the credit for infrastructure investments, the credit can be carried forward for up to two Tax Years.⁹⁶ The credit will expire following Tax Year 2026.

A number of states and the federal government offer incentives for alternative fuel infrastructure installation. Incentives range from tax credits to rebates to grants. Most states⁹⁷ cap the amount of credit any one taxpayer can receive or limited the credit to one or two types of fuel.

Financial Plan Impact

Implementation of the subtitle will cost \$125,000 in FY 2015 and \$815,000 over the four year financial plan period.

The subtitle allows an individual or business to claim a credit against its income taxes for up to 50 percent of the cost of the installation of infrastructure to house and distribute alternative fuels. To estimate the cost of tax credit related to infrastructure, ORA only focused on the electric vehicle charging stations. Electric vehicles are the only alternative-fuel vehicles that show enough growth over the financial plan period to demand additional infrastructure. The estimate assumes 25 charging stations would be built in 2014, and 163 from Tax Years 2014 through 2017 at an average cost of \$10,000 per station.

Alternative Fuel Infrastructure Incentive Act of 2014					
Cost^a of Title VII, Subtitle I					
FY 2015 – FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	Total
Reduction in income tax revenue	\$125	\$167	\$224	\$299	\$815

Table Notes

^a Assumes all tax liabilities are sufficient to receive 100 percent of the credit for the Tax Year in which the activity took place.

Subtitle (VII)(I) – Real Property Tax Calculated Rate Clarity Act of 2014

Background

Under current law, the Chief Financial Officer must recalculate the residential real property tax rate by September 15th of every year if the revenues for the next fiscal year are projected to grow faster than the assessed values, or by more than 7 percent. Similarly, the Chief Financial Officer must recalculate the commercial real property tax rate on the first \$3 million of assessments if the revenue from Class II properties is projected to grow by more than 10 percent.

⁹⁵ Allowable costs do not include the cost to purchase land or lease land, the purchase of an existing qualified alternative fuel vehicle refueling property, or the construction or purchase of a structure.

⁹⁶ The refueling property must continue to be operational in a publically available manner or else any remaining credits will be forfeited.

⁹⁷ Oklahoma and Louisiana appear to be the only two states that offer a tax credit with no cap for infrastructure investments.

The subtitle makes two clarifying changes to the D.C. Official Code. First it clarifies that Class 2 real property is taxed at two rates—the first \$3 million of assessments is taxed at \$1.65 per \$100 of assessed value, and assessed values greater than \$3 million are taxed at \$1.85 per \$100 of assessed value. Current language in the section of the D.C. Official Code⁹⁸ for the calculated commercial property tax disregards the lower rate.

Second, it moves the deadline for the releasing of the calculated rate from September 15 to January 5 for both residential and commercial property.

Financial Plan Impact

The proposed changes are technical in nature and do not have a fiscal impact.

At present, when the Chief Financial Officer is directed to announce the calculated rate (September 15), the revenues for the current fiscal year are still projections. This is because the second installments for real property taxes are not due until the end of September. Moving the date to January 5 will allow the Chief Financial Officer to use better data regarding base year revenues, but will not change the timing of the tax relief. This is because the first bills for real property taxes are mailed at the end of January, so the changes in the rate, if any, will still be reflected in the bills.

Subtitle (VII)(K) – Carver 2000 Senior Mansion Real Property Tax Abatement Amendment Act of 2013

Background

The subtitle removes the 16-year sunset provision on the tax exemption granted to certain real property owned by the Carver 2000 Senior Mansion; thus making the properties exempt from real estate taxes indefinitely. The properties are currently exempt from real property taxes through 2018.

Financial Plan Impact

Because, these properties are currently exempt from real property taxes through 2018, removing the 16-year sunset provision will not have an impact on the FY 2015 budget and financial plan.

Subtitle (VII)(L) – Residential Real Property Equity and Transparency Act of 2014

Background

The bill makes several modifications to the District's tax sale process that are intended to provide additional safe guards for residential homeowners who are delinquent on their real property taxes and may become subject to tax sale. To this end, the bill does the following:

⁹⁸ D.C. Official Code § 47-812(b-8)

- *Establishes an Office of the Real Property Tax Ombudsman.* The Office will be headed by an Ombudsman of real property tax ("Ombudsman") who is appointed by the Mayor and serves a 5-year term. The Ombudsman's office is responsible for advising residential real property owners with tax-related matters, investigating taxpayer complaints, and referring taxpayers to the appropriate channels to resolve tax-related matters.
- *Prohibits the sale of a residential real property tax lien if the amount owed is \$2,500 or less.* Currently, the Office of Tax and Revenue (OTR) excludes properties that owe \$1,000 or less in real property taxes.
- *Allows homeowners to enter into a deferred payment plan for delinquent taxes,* so long as they are claiming the homestead deduction and owe \$7,500 or less in taxes.
- *Reduces the interest rate applied to seniors in the low-income tax deferral program from 8 percent to 6 percent.*⁹⁹ It also allows senior citizens, who are delinquent on real property taxes and not enrolled in the program, to enroll and have all past taxes deferred.
- *Expands pre-sale and post-sale noticing requirements for real property subject to tax sale.* The bill increases the frequency with which OTR must notify real property owners subject to the tax sale. It also requires OTR to mail notices to the homeowners' mailing address of record as well as to the premise address.
- *Limits the attorney's fees and other expenses charged by lien purchasers to \$1,500 plus allowances for additional expenses incurred as outlined in the bill.* Under current law, in order for a property owner to redeem a property sold at tax sales, the owner must pay the taxes due, as well as attorney fees incurred by the purchaser.¹⁰⁰ Currently, the law does not cap the total amount of legal fees a purchaser can charge a property owner.
- *Limits the purchasers' equity in the foreclosure of an owner-occupied property to 10 percent, or \$20,000, whichever is less.* This provision applies to residential real property that is occupied by the owner (or a person with an interest in the property as an heir or beneficiary) at the time the complaint to foreclose was filed. Once the foreclosure is final, the property will then be sold by a trustee appointed by the Superior Court of the District of Columbia. The bill requires that the purchaser is entitled to retain 10 percent, or \$20,000, whichever is less, of the equity, and the remaining balance is transferred to the owner of record or their heirs (as determined by the court). Under current law, the purchaser is entitled to the equity in the property.

Financial Plan Impact

The estimated cost to implement the requirements is approximately \$1.68 million in FY 2014 and \$3.8 million over the FY 2015 through FY 2018 budget and financial plan. The provisions under this bill will have both revenue-side and expenditure-side costs.

With regards to revenue impacts, the exclusion of properties owing \$2,500 or less for residential property from the tax sale will have a one-time impact on tax collections.¹⁰¹ These properties account for approximately \$4.6 million, or 10 percent of the value, of real property taxes owed prior

⁹⁹ D.C. Official Code §47-845.03.

¹⁰⁰ D.C. Official Code §47-1377.

¹⁰¹ Currently, OTR excludes properties with liens of \$1,000 or less; however, this exclusion is neither required by law, nor it is made apparent in the tax sale notice. Thus the threat of tax sale still applies to these taxpayers and motivates payments.

to tax sale.¹⁰² Because the threat of a tax sale will no longer apply to this group of taxpayers, this will have a one-time impact on collections, which is estimated to cost \$787,000.¹⁰³

The establishment of a forbearance program or deferred payment plan for taxpayers will also impact collections. While the District will eventually collect taxes, there will be a delay in receipt. The delay in collections will depend on the timeframe in which taxpayers are allowed to repay his or her taxes. For the purposes of this estimate, we assume taxpayers are granted a four year window, which will delay the collection of approximately \$465,000 in FY 2015 and \$1.2 million over the four year financial plan. After year four, the District will have recovered the past taxes.

The bill also requires OTR to provide taxpayers with a certificate of redemption when they redeem a property. Currently, OTR charges a \$100 fee for these certificates and issues approximately 500 a year. OTR will no longer collect this revenue, which amounts to \$50,000 a year.

Lastly, on the revenue side, the reducing the interest rate for the low-income senior tax deferral program from 8 to 6 percent and allowing seniors who are delinquent and qualify for the program to enroll and have the deferral apply to past taxes will also reduce revenue collections; however the impact of this provision is *de minimus* given the current low participation rate in the program.¹⁰⁴

On the expenditure side, personnel are required to implement the new office established under the Mayor – the Office of the Real Property Tax Ombudsman. At a minimum, this office will require one full-time staff person. If additional staff is required, they can be appointed as funding is budgeted.

The OTR will also require four new staffers to implement the requirements of the bill. Two full-time equivalents (FTEs) are required to implement the deferred payment program for taxpayers¹⁰⁵ and two FTEs are required to implement the new pre-sale and post-sale noticing requirements.

Finally, it is worth noting that the combination of these modifications to the tax sale process could impact purchasers' participation. For example, the cap on legal fees and the provision that limits tax sale purchasers equity in a foreclosure has been raised as concerns by some stakeholders who argue these provisions will reduce purchaser participation. However, it is difficult to estimate what, if any, dampening effect will occur as a result of these changes.

The estimated costs of the subtitle are detailed in the table below.

¹⁰² This is based on the total value of delinquencies at the time OTR runs its newspaper advertisement announcing delinquent properties in July for the years 2010 through 2013. Prior to every tax sale, OTR is required to print a newspaper ad announcing properties in which taxes are levied and are in arrears (D.C. Official Code § 47-1301). The total value of delinquencies at the time of the news ad is run averages approximately \$43 million. Between the news ad and tax sale day, OTR recovers about \$15 million on average. Data provided by OTR.

¹⁰³ The average collection rate for delinquencies from the time of the newspaper ad to the day of tax sale averages 34 percent. It is assumed OTR's collection rate for this group will be reduced by half.

¹⁰⁴ Currently, there is only one taxpayer taking advantage of this program.

¹⁰⁵ The cost to automate this process using OTR's current system would require significantly more resources than hiring additional personnel.

Estimated Fiscal Impact for Subtitle (VII)(L), Residential Real Property Equity and Transparency Act of 2014, FY 2015 - FY 2018 (\$ thousands)					
	FY 2015	FY 2016	FY 2017	FY 2018	4-Year Total
<u>REVENUE IMPACTS</u>					
One-time cost due to \$2,500 minimum for homesteads ¹	\$787	\$0	\$0	\$0	\$787
Deferred payment plan - revenue impact ²	\$465	\$348	\$232	\$116	\$1,161
Waiving of fees for redemptions certificates ³	\$50	\$50	\$50	\$50	\$200
Total revenue impact	\$1,301	\$398	\$282	\$166	\$2,148
<u>EXPENDITURE IMPACTS</u>					
Deferred payment plan - personnel costs ⁴	\$123	\$128	\$133	\$138	\$522
Office of the Ombudsman ⁵	\$138	\$144	\$149	\$155	\$586
Personnel required for noticing requirements ⁶	\$119	\$123	\$128	\$133	\$503,
Total expenditure impact	\$379	\$397	\$413	\$427	\$1,617
Total Estimated Costs	\$1,681	\$796	\$696	\$593	\$3,765

Table Notes:

1. The threat of tax sale will be removed for those with delinquencies of \$2,500 or less, reducing collections prior to the sale. It is assumed OTR will collect 1/2 of the amount of taxes it usually collects between the first newspaper ad and tax sale day. The average value of collections for delinquencies less than \$2,500 is approximately \$1.6 million.
2. It is assumed that those homestead properties with tax bills of \$7,500 or less will opt into the deferral plan requiring outstanding taxes to be paid off over a four year period.
3. OTR issues approximately 500 redemption certificates annually at a cost of \$100 per certificate. OTR will no longer collect the \$100 fee under this bill
4. OTR will need two grade level 9 FTE's to run a deferral program. Cost includes salary and fringe benefits.
5. The estimate assumes one grade level 15 FTE for the Ombudsman. Cost includes salary and fringe benefits.
6. OTR requires 2 accounting technicians to

TITLE VIII- CAPITAL BUDGET

Subtitle (VIII)(A) – Department of Transportation Capital Budget Allocation Authority Act of 2014

Background

Currently, in its budget request from the U.S. Congress, the District groups similar capital projects that could be funded from the Highway Trust Fund under a single master project (for example road improvement, bridges, etc.). This is because at the time the budget request is sent to the Congress, we may not know which capital projects will be ready to move forward or will be accelerated or delayed in the upcoming fiscal year.

Before spending these funds, the Director of the District Department of Transportation (DDOT) must first identify the projects (known as "Related Projects") under each master project,¹⁰⁶ and then request from the Office of Budget and Planning (OBP) that appropriations under each master project is allocated to each of these Related Projects.¹⁰⁷ Once allocated, there could be no change to the spending plan for these funds. So, if a Related Project is completed under budget, no mechanism exists for the District to shift the excess funds to other projects under the master project.

The subtitle allows DDOT to request that OBP reallocate funds from a Related Project back to the master project. This would ensure that any unspent amounts could be put to use in other Related Projects within a master project.

Financial Impact

The subtitle allows for additional flexibility so DDOT can reallocate unspent funds across different capital projects funded by the Highway Trust Fund. There is no fiscal impact associated with this change.

Subtitle (VIII)(B) – Department of Transportation Capital Project Review and Reconciliation Amendment Act of 2014

Background

Most of the capital projects executed by the District Department of Transportation (DDOT) leverage federal Department of Transportation funds through the Highway Trust Fund. While the Federal Highway Administration approves of most activities within a project that are executed on or around federal roads, there are costs, such as some labor and overhead or utility costs, which are not approved federal expenditures, but are critical to the project. These expenditures are considered non-participating costs and must be fully funded from local resources.

Under current law, the Chief Financial Officer (CFO) can close capital projects funded from revenues in the Local Transportation Fund if the project has been inactive over a year, or has obligated or

¹⁰⁶ These are projects the Federal Government must approve for the Highway Trust Fund monies.

¹⁰⁷ D.C. Official Code § 50-921.02(e).

expended funds in excess of its approved budget.¹⁰⁸ Current law also states that any funds resulting from the closing of these projects should be used to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund,¹⁰⁹ up to an annual level of \$1.5 million and then equally among the Local Streets Ward-based capital projects.

The subtitle clarifies that if all or some of the funds in a project that is being closed pay for "non-participating costs," then those monies should be returned to the non-participating Highway Trust Fund Support local transportation street project.

Financial Impact

The subtitle ensures that local funds tied to Highway Trust Fund projects remain that way, so the District can meet its Capital Improvement Plan. There is no fiscal impact from this subtitle.

Subtitle (VIII)(C) - "Fiscal Year 2015 Capital Project Reallocation Approval Act of 2014"

Background

The proposed subtitle authorizes the Office of the Chief Financial Officer (OCFO) to reallocate approximately \$86.6 million in currently held general obligation bond balances from the capital projects with slow activity to three projects with insufficient bond balances to cover expenditures: WMATA Transit Operations and Dedicated Facilities project, Dunbar SHS Modernization, and Cardozo High School Modernization. This enables the District to make better use of the bonds held in escrow (at a low interest rate), avoid some future borrowing, and improve cash flow. The sources and uses of these funds are shown in the two tables below.

Subtitle (VIII)(C) - Projects that will serve as source of financing		
Owner Agency Title	Project Title	Total
DC Public Library	African American Civil War Memorial	\$1,118,561
	Reconstruction/Renovation Neighborhood Libraries	\$3,955,680
Department of General Services	Evans Campus - See Forever Foundation	\$2,000,000
	Neighborhood Revitalization	\$9,629
	Procurement of 225 Virginia Avenue	\$13,792
Department of Human Services	Oak Hill Youth Facility	\$501
Department of Parks and Recreation	Friendship Park	\$1,670,370
	Renovation Of The S & T St NW Park	\$498,788
Deputy Mayor for Economic Development	Walter Reed Redevelopment	\$421,874
District Department of Transportation	Pedestrian Bridge	\$4,987,554
	SE Salt Dome	\$21,288
District of Columbia Public Schools	Ron Brown ES Modernization	\$4,050,000
	Woodrow Wilson Natatorium/Pool	\$4,039,764

¹⁰⁸ D.C. Official Code § 50-921.52.

¹⁰⁹ Established by § 1-325.131, the non-lapsing Pedestrian and Bicycle Safety and Enhancement Fund is used to improve the safety of pedestrian and bicycle transportation, including traffic calming and Safe Routes to School enhancements. The sources of funds (limited at \$1.5 million) include fines and penalties collected from civil fines and infractions related to pedestrian safety such as failing to stop and give right-of-way to a pedestrian, colliding with a pedestrian in the process of failing to stop and give right-of-way.

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FIS: "Fiscal Year 2015 Budget Support Act of 2014," Draft legislation shared with the Office of Revenue Analysis on April 3, 2014

Subtitle (VIII)(C) – Projects that will serve as source of financing		
Owner Agency Title	Project Title	Total
Fire and Emergency Medical Services	Engine Company 22 Replacement	\$1,525,115
	Engine Company 25 Renovation	\$4,853
	Engine Company 27 Renovation	\$2,956,335
	Engine Company 5 Renovation	\$13,658
Mass Transit Subsidies	Metrorail Construction	\$53,577,000
Metropolitan Police Department	Base Building Renovation	\$4,848,843
	Information Technology Initiative - MPD	\$11,039
Office of the Attorney General	Child Support Enforcement System - CSED	\$20,885
Office of the Chief Technology Officer	District Reporting System	\$489,445
University of the District of Columbia	Higher Education Back Office - Banner	\$302,363
Grand Total		\$86,537,336

Subtitle (VIII)(C) – Projects receiving new financing		
Agency	Project Title	Total
WMATA	Transit Operations & Dedicated Facilities	\$27,860,968
DCPS	Dunbar SHS Modernization	\$29,453,153
	Cardozo HS Modernization	\$29,223,215
Grand Total		\$86,537,336

Financial Impact

The proposal is already incorporated into the proposed FY 2015 through FY 2021 Capital Improvement Plan. The reallocation would neither increase nor decrease the budget authority for the WMATA project, the two school modernization projects or the other capital budget projects cited in the legislation. The intent is only to reallocate available bond balances where they are needed, making more efficient use of District resources.

TITLE IX- ADDITIONAL REVENUE CONTINGENCY LIST

Subtitle (IX)(A) – Revised Revenue Estimate Contingency Priority List Act of 2014

Background

This subtitle allocates¹¹⁰ the additional FY 2015 revenues that might be certified in the Chief Financial Officer’s June 2014 revenue certification to the following new expenditures and tax expenditure initiatives, as outlined below:

Revised Revenue Estimate Adjustment Allocation (New Expenditures and Tax Expenditures) FY 2015	
	FY 2015
Office of the State Superintendent of Education ¹	\$8,000,000
General Fund Revenue Reduction – personal income tax ²	\$10,800,000
General Fund Revenue Reduction- business income tax ³	\$20,800,000
General Fund Revenue Reduction- commercial property tax ⁴	\$10,200,000
University of District of Columbia ⁵	\$10,000,000
Office of the State Superintendent of Education ⁶	\$3,000,000
Department of Behavioral Health ⁷	\$1,900,000
Department of Healthcare Finance ⁸	\$1,867,027
Department of Healthcare Finance ⁹	\$1,500,000
Department of Healthcare Finance ¹⁰	\$1,050,000
General Fund Revenue Reduction- deed transfer and recordation taxes ¹¹	\$10,400,000
Children and Youth Investment Trust Corporation ¹²	\$5,000,000
Office of the State Superintendent of Education ¹³	\$8,500,000
General Fund Revenue Reduction – personal income tax ¹⁴	\$10,200,000
General Fund Revenue Reduction – personal income tax ¹⁵	\$10,100,000
D.C. Commission on Arts and Humanities ¹⁶	\$10,000,000
Department of Housing and Community Development ¹⁷	\$700,000
Realtor Fund ¹⁸	\$501,000
Office of the Attorney General ¹⁹	\$453,608
General Fund Revenue Reduction – estate tax ²⁰	\$13,900,000
Total	\$138,871,635

Table notes

- ¹To increase early childhood program infant and toddler slots by 200.
- ²To increase the maximum Earned Income Tax Credit from \$195 to \$487.
- ³To reduce Franchise Tax rate from 9.4% to 8.9%.
- ⁴To reduce the commercial property tax rate on the first \$3,000,000 of assessed value from \$1.65 to \$1.55 per \$100 of assessed value.
- ⁵ Additional funds split equally for UDC and CCDC educational advancements.
- ⁶ To increase adult literacy funding.
- ⁷ For the expansion of the school based mental health program.
- ⁸ For coverage of ineligible persons for Health Benefits Exchange Insurance program.
- ⁹ The fund increase for Federally Qualified Health Center (FQHC) rate methodology.

¹¹⁰ Pursuant to the Fiscal Year 2014 Budget Request Act of 2013, passed on 1st and final reading on May 22, 2013 (Enrolled version of Bill 20-198), and notwithstanding any other provision of law.

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¹⁰ For the elderly and persons with disabilities waiver.

¹¹ To reduce the Deed, Recordation, and Transfer Tax from 1.45% to 1.4%. This includes an offsetting 1.5 percentage point increase to the Housing Production Trust Fund transfer from 15% to 16.5%.

¹² To increase funding to cover summer initiatives.

¹³ To increase funding for the Mayor's Scholars program.

¹⁴ To increase the Personal Exemption from \$1,775 to \$2,215.

¹⁵ To increase the Standard Deduction from \$4,250 to \$5,200.

¹⁶ Additional grant funding.

¹⁷ To fund the Small Business Technical Assistance program.

¹⁸ To restore funding to the Realtor Fund.

¹⁹ For 3 additional attorneys and 1 paralegal within the Personnel, Labor & Employment Division.

²⁰ To exempt estates valued less than \$5,250,000 from the Estate Tax.

Financial Plan Impact

The proposals on the contingency list will only become effective, in the order presented in the table, if the June 2014 revenue certification exceeds the revenues that balance the proposed FY 2015 budget.

TITLE X – SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

Subtitle (X)(A) – Local and Special Purpose Revenue Fund Amendment Act of 2014

Background

This subtitle modifies or repeals various special purpose and dedicated revenue funds. The title makes the following non-lapsing special purpose funds lapsing:

- *RFK & DC Armory Maintenance Fund*,¹¹¹ which holds the reimbursements the District Department of Real Estate Services receives from Events DC to maintain the RFK Stadium and the non-military sections of the D.C. Armory. The FY 2013 fund balance in this account was \$1,155.
- *Facilities Service Request Fund*,¹¹² funded by monies collected from non-D.C. government tenants of the District for services provided by the Department of Real Estate Services (such as maintenance, janitorial, security, etc.).
- *Distribution Fees Account*,¹¹³ under the Office of the Secretary which holds the revenues from the sales of the District of Columbia Register, the District of Columbia Municipal Regulations, and other government publications, certification fees for notary public commissions, fees for the authentication of documents for both foreign and domestic use, and fees for the publication or reproduction of materials of historical interest. The account is used to defray various costs in the Office of the Secretary.
- *Copy Fund*,¹¹⁴ within the Public Service Commission, which holds fees for copying services.
- *Utility, Security, and Custodial Reimbursements funds*¹¹⁵ within the District of Columbia Public Schools (DCPS), which are used to defray utility, security and custodial services for DCPS properties, or parts of DCPS properties, that are leased by other entities such as public charter schools, community organizations, and day-care centers. These funds are already lapsing funds, with balances that are supposed to be transferred to debt service accounts. The subtitle requires that fund balances be deposited to the unrestricted portion of the local General Fund.
- *Recreation Enterprise Fund*¹¹⁶ within the Department of Parks and Recreation, which is used to support DPR activities. The fund was made lapsing in 2011, but at the end of FY 2013, the fund carried a balance of \$1.9 million. The subtitle clarifies this action.
- *Pedestrian and Bicycle Safety and Enhancement Fund*¹¹⁷ within the Department of Transportation that can be used to improve safety and quality of pedestrian and bicycle transportation, including traffic calming and Safe Routes to School enhancements."

¹¹¹ The fund was created in 2010 (D.C. Law 18-111, § 2081(l), D.C. Official Code § 10-1202.08c) when the District of Columbia Sports and Entertainment Commission was abolished. The District Official Code refers to the fund as the Sports Facilities Account.

¹¹² D.C. Official Code § 10-551.07a.

¹¹³ D.C. Official Code § 1-204.24d.

¹¹⁴ Fund 0651

¹¹⁵ D.C. Official Code § 38-401.

¹¹⁶ D.C. Official Code § 10-303

¹¹⁷ D.C. Official Code § 1-325.131

- *Out-of-State Vehicle Registration fund*¹¹⁸ within the Department of Motor Vehicles, which is used to support the education of taxicab and limousine drivers in the District of Columbia.
- *Technology Infrastructure Services Support Fund*¹¹⁹ within the Office of the Chief Technology Officer, used to defray operational costs of various IT services.
- *Healthcare Forfeiture Fund*, which represents 401(a) Defined Contribution pension plan contribution amounts which have been forfeited by former employees who have separated from District service before the vesting period has ended. The FY 2013 end of year fund balance was approximately \$1.17 million.

The title makes the following local fund lapsing:

- *Neighborhood Historic Preservation Fund* (a.k.a., Targeted Homeowner Grant or Historic Landmark-District Protection Fund),¹²⁰ which pays for the costs of repair work necessary to prevent demolition by neglect of historic properties. The grants are capped at \$25,000 per applicant. The FY 2013 fund balance in this account was \$686,440.

The title repeals the following dedicated, special purpose or local funds:

- *Fixed Cost Commodity Reserve Fund* under the Department of General Services;
- *Child Support – Title IV-C Incentive Fees Fund* within the Office of the Attorney General;
- *Adult Training Fund*¹²¹ under the Department of Employment Services;
- *Youth Jobs Fund*¹²² under the Department of Employment Services;
- *Neighborhood Investment Fund*, authorized by the Neighborhood Investment Act of 2004;¹²³
- *Senior Citizens Housing Modernization Grant Fund* authorized by the Senior Housing Modernization Grant Fund Act of 2010;¹²⁴
- *Shaw Community Development Fund* authorized by the Washington Convention Center Authority Act of 1994;¹²⁵
- *AWC Integration (Economic Development Special Account)* authorized by the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008;¹²⁶
- *Commercial Revitalization Assistance Fund* authorized by the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005;¹²⁷
- *TDL Career Cluster*, within the District of Columbia Public Schools;
- *Pre-k for All Fund* within the Office of the State Superintendent of Education;
- *Choice in Drug Treatment (Addiction Recovery Fund)* authorized by the Choice in Drug Treatment Act of 2000;¹²⁸
- *Air Quality Construction Permits Fund* within the Department of Health;
- *DDOT Unified Fund* authorized by the Highway Trust Fund Establishment Act of 1996;¹²⁹

¹¹⁸ D.C. Official Code § 50-1501.03

¹¹⁹ D.C. Official Code § 1-1433.

¹²⁰ D.C. Official Code § 6-1110.01(a).

¹²¹ D.C. Official Code § 32-1671.

¹²² D.C. Official Code § 2-1516.01.

¹²³ Effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071).

¹²⁴ Effective August 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.162).

¹²⁵ Effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)).

¹²⁶ Effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21).

¹²⁷ Effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-218.76).

¹²⁸ Effective July 8, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3004).

¹²⁹ Effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 9-111.01a).

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- *Parking Meter Fund* (fund 6906) within the District Department of Transportation
- *Prison Diversion fund* within the Department of Behavioral Health;
- *Integrated Service Fund* authorized by the Fiscal Year 2007 Budget Support Act of 2006;¹³⁰

Finally, the subtitle will repeal the dedicated tax that provides resources for the Healthy Schools Fund authorized by the Healthy Schools Act of 2010.¹³¹

Financial Impact

Making various special-purposed funds lapsing could increase the end-of-fiscal year fund balance, but this amount cannot be reliably estimated at this time. The repealing of the dedicated tax for the Healthy Schools Fund will increase general sales tax revenue available to support operations of the District of Columbia by approximately \$4.3 million. However, the proposed budget replenishes this account with local appropriations of \$4.3 million, so the net impact of this provision is zero.

Subtitle (X)(B) – Local and Special Purpose Revenue Fund Transfer Act of 2014

Background

The subtitle authorizes the transfer of the fund balances from the following account into the Contingency Cash Reserve Fund. These would be recognized as FY 2014 revenue for this Fund.

Fund Balance Transfers Authorized by Subtitle (X)(B)		
Agency	Fund Name	Fund Balance Amount
DGS	Fixed Cost Commodity Reserve	\$22,288,649
DOES	Adult Training Fund	\$10,156,624
DOES	Youth Jobs Fund	\$6,431,374
DMPED	Neighborhood Investment Fund	\$60,226
DMPED	Senior Housing Modernization Grant Fund Act of 2010	\$100,000
DMPED	AWC Integration	(\$6,146)
DSLBD	Commercial Revitalization Assistance Fund	\$1,245,199
DHCF	Hospital Assessment Tax	\$715,707
DDOT	DDOT Operating (Unified) Fund	\$65,084
DDOT	Parking Meter Fund	\$534,282
DBH	Prison Diversion	\$128,000
OCFO	Integrated Service Fund	\$4,576,805
OSSE	Healthy Schools Act	\$4,349,170
OCFO	Healthcare Forfeiture	\$1,176,069
Total		\$51,821,043

Financial Impact

¹³⁰ Effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.02).

¹³¹ Effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02).

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The proposed subtitle would recognize \$51.8 million of special purpose revenue end of Fiscal Year 2013 fund balances as revenue for the Contingency Cash Reserve Fund in FY 2014. The proposed supplemental FY 2014 budget already reflects the impact of the proposed subtitle. The monies would be used to replenish the Contingency Cash Reserve Fund, out of which, approximately \$66 million of allocations have been requested for Fiscal Year 2014.



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 4
Washington, DC 20004
(202) 724-8026

MEMORANDUM

TO: Chairman Phil Mendelson

FROM: V. David Zvenyach, General Counsel

DATE: May 27, 2014

RE: Legal sufficiency determination for the committee print of Bill 20-750, Fiscal Year 2015 Budget Support Act of 2014



Certified by V. David Zvenyach
General Counsel
Council of the District of Columbia

The measure is legally and technically sufficient for Council consideration.

Pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act,¹ when the Council approves the annual budget, the Council must also enact appropriate laws to ensure that expenditures do not exceed revenues. I have reviewed the provisions of the proposed Fiscal Year 2015 Budget Support Act of 2014 included in the committee print and find them to be legally unobjectionable, with leave to make conforming and technical amendments.

I am available if you have any questions.

VDZ

¹ D.C. Official Code §§ 1-204.46 and 1-206.03(c).

1 Committee of the Whole
2 Draft Committee Print
3 May 28, 2014

4 A BILL

5
6
7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

8
9
10 To enact and amend provisions of law necessary to support the Fiscal Year 2015 budget.

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129

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

132 **TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

133 **SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION**

134 Sec. 1001. Short title.

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

136 Sec. 1002. Bonus and special pay limitations.

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

139 (1) Retirement awards;

140 (2) Hiring bonuses for difficult-to-fill positions;

141 (3) Additional income allowances for difficult-to-fill positions;

142 (4) Agency awards or bonuses funded by private grants or donations;

143 (5) Employee awards pursuant to section 1901 of the District of Columbia

144 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-
145 139; D.C. Official Code § 1-619.01);

146 (6) Safe driving awards;

147 (7) Gainsharing incentives in the Department of Public Works;

148 (8) Suggestion or invention awards;

149 (9) Quality Steps;

150 (10) Salary incentives negotiated through collective bargaining; or

151 (11) Any other award or bonus required by an existing contract or collective
152 bargaining agreement that was entered into prior to the effective date of this subtitle.

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

156 (c) Notwithstanding any other provision of law, no restrictions on the use of funds to
157 support the categories of special awards pay (comptroller subcategory 0137) or bonus pay
158 (comptroller subcategory 0138) shall apply in fiscal year 2015 to employees of the District of

159 Columbia Public Schools who are based at a local school or who provide direct services to
160 individual students.

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

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

169 Sec. 1011. Short title.

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

172 Sec. 1012. The District of Columbia Government Comprehensive Merit Personnel Act of
173 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.), is
174 amended as follows:

175 (a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the word
176 "2014" and inserting the word "2018" in its place.

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

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

181 Sec. 1013. Section 401(a) of the Elected Attorney General Implementation and Legal
182 Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60;
183 60 DCR 15487), is amended by striking the word "2014" and inserting the word "2018" in its
184 place.

185 **SUBTITLE C. PUBLIC SECTOR WORKERS' COMPENSATION BUDGET**

186 **SAVINGS**

187 Sec. 1021. Short title.

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

190 Sec. 1022. The District of Columbia Government Comprehensive Merit Personnel Act of
191 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.) is
192 amended as follows:

193 (a) The table of contents is amended by adding a new section designation after "SEC.
194 2306a. PERIOD OF DISABILITY PAYMENTS" to read as follows:

195 "SEC. 2306b. REPORT OF EARNINGS".

196 (b) Title XXIII is amended as follows:

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

198 (2) A new section 2306b (D.C. Official Code § 1-623.06b) is added to read as
199 follows:

200 "Sec. 2306b. Report of Earnings.

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

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

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

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

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

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

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

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

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

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

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

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

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

239 (B) Subsection (b) is repealed.

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

242 **SUBTITLE D. FLEXIBILITY IN PROVISION OF TECHNOLOGY SERVICES**

243 Sec. 1031. Short title.

244 This subtitle may be cited as the "Technology Services Support Amendment Act of
245 2014".

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

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

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

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

254 **SUBTITLE E. CAPITAL POLICY AND RESERVE ACCOUNT**

255 Sec. 1041. Short title

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

287 "(4) If at the close of any fiscal year, the District has fully funded the Emergency,
288 Contingency, Fiscal Stabilization, and Cash Flow Reserves, all additional uncommitted amounts

289 in the unrestricted fund balance of the General Fund of the District of Columbia as certified by
290 the Comprehensive Annual Financial Report ("CAFR") shall be used for the following purposes:

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

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

293 Sec. 1043. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as
294 follows:

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

297 "47-308.04. Replacement Schedule for Capital Assets."

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

299 "§ 47-308.04. Replacement Schedule for Capital Assets.

300 "The Chief Financial Officer of the District of Columbia shall develop a 15-year
301 replacement schedule for the capital assets of the District government. The schedule shall be
302 prepared in a form that reflected both the adopted capital improvements plan and a replacement
303 schedule for District capital assets. The Chief Financial Officer shall report to the Council and
304 the Mayor on the replacement schedule on an annual basis, with the initial report due on October
305 1, 2015. All agencies shall cooperate with any requests made by the Chief Financial Officer
306 related to this section."

307 (c) Section 47-335.01 is amended by striking the word "borrowings" and inserting the
308 phrase "borrowings. In determining the amounts to be financed, the Mayor shall consult with the
309 Chief Financial Officer to determine if any funds appropriated for Debt Service, as defined in §
310 47-334, in excess of Debt Service requirements are available to reduce the amount of borrowing
311 for the next bond issuance" in its place.

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

313 "(f) Notwithstanding § 47-363, any funds appropriated for Debt Service, as defined in §
314 47-334, in excess of Debt Service requirements, may not be reprogrammed, unless the Council
315 approves the reprogramming request by resolution."

316 **SUBTITLE F. GOVERNMENT FAMILY LEAVE PROGRAM**

317 Sec. 1051. Short title.

318 This subtitle may be cited as the "Government Family Leave Program Amendment Act of
319 2014".

320 Sec. 1052. The District of Columbia Government Comprehensive Merit Personnel Act of
321 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.), is
322 amended by adding a new section 1203c to read as follows:

323 "Sec. 1203c. Family leave.

324 "(a) An eligible employee shall receive leave with pay for family leave of not more than
325 8 workweeks within a 12-month period for a single qualifying event.

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

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

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

331 "(3) Shall count against the 16 workweeks of family leave provided under section
332 3 of the District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990
333 (D.C. Law 8-181; D.C. Official Code § 32-502) ("DC FMLA").

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

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

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

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

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

345 "(1) "Child" means:

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

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

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

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

353 "(3) "Family member" means:

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

356 "(B) A foster child;

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

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

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

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

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

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

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

369 Sec. 1053. Applicability.

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

373 **SUBTITLE G. OFFICE OF CONTRACTING AND PROCUREMENT SURPLUS**
374 **PROPERTY FUND ESTABLISHMENT**

375 Sec. 1061. Short title.

376 Sec. 1062. District of Columbia Surplus Personal Property Sales Revolving Fund.

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

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

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

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

387 **SUBTITLE H. COMMISSION ON FATHERS, MEN, AND BOYS**

388 Sec. 1071. Short title.

389 This act may be cited as the "Commission on Fathers, Men, and Boys Establishment Act
390 of 2014".

391 Sec. 1072. Establishment.

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

395 Sec. 1073. Commission members; Qualifications; Terms of office; Removal.

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

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

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

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

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

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

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

416 Sec. 1074. Duties of the Commission.

417 (a) The Commission shall:

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

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

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

425 (4) Prepare and recommend to the Mayor and the Council an annual plan of
426 programs and services focused on issues directly related to fathers, men, and boys;

427 (5) Work with District agencies, the private sector, and local communities to
428 promote a healthier societal impact on fathers, men, and boys; and

429 (6) Nominate special advisors to serve and provide technical and expert advice on
430 specific and particular matters relevant to the functions of the Commission.

431 (b) The Commission shall devise policies and procedures that will effectively address the
432 social economic concerns of fathers, men, and boys, including:

433 (1) Employment;

434 (2) Poverty;

435 (3) Fatherlessness and responsible fatherhood;

436 (4) Family law;

437 (5) Health and well-being; and

438 (6) Rehabilitation and reintegration.

439 (c) The Commission is authorized to apply for and receive grants to fund programs and
440 initiatives in accordance with procedures relating to grants management, District government
441 statutes, regulations, Executive Orders, and procedures as specified by the Office of the Chief
442 Financial Officer, the Office of Partnerships and Grant Services, and the Office of Contracting
443 and Procurement and to recommend to the Mayor and Council applications for Federal grants-in-
444 aid for fatherhood, children, and family initiatives.

445 (d) The Commission may accept private gifts and donations to carry out the purposes of
446 this act in compliance with the procedures and requirements of the Office of Partnerships and
447 Grant Services.

448 Sec. 1075. Conforming amendments.

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

451 (1) Paragraph (48) is amended by striking the word "and" at the end.

452 (2) Paragraph (49) is amended by striking the period at the end and inserting the
453 phrase "; and" in its place.

454 (3) A new paragraph (50) is added to read as follows:

455 "(50) The Commission on Fathers, Men, and Boys established pursuant to section
456 2 of the Commission on Fathers, Men and Boys Establishment Act of 2014."

457 **SUBTITLE I. GRANTS ADMINISTRATION**

458 Sec. 1081. Short title.

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

460 Sec. 1082. Section 1903 of the Grant Administration Act of 2013, effective December 24,
461 2014 (D.C. Law 20-61, D.C. Official Code § 1-328.12), is amended by striking the phrase "shall
462 be administered" and inserting the phrase "or the Fiscal Year 2015 Budget Support Act of 2014,
463 shall be administered" in its place.

464 **SUBTITLE J. WORKPLACE WELLNESS**

465 Sec. 1091. Short title.

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

467 Sec. 1092. Workplace wellness policy.

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

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

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

- 475 (1) Establish measurable goals for improving the health of District government
476 employees;
- 477 (2) Improve nutrition in the workplace, including:
- 478 (A) Expanding opportunities for employees to store lunches and foods in
479 District buildings; and
- 480 (B) Promoting the availability and consumption of water throughout the
481 day;
- 482 (3) Improve the physical fitness of employees and physical activity during the
483 work day, including:
- 484 (A) Providing opportunities for employees to exercise at their desks and
485 offices; and
- 486 (B) Ensuring that staircases are accessible and their use is encouraged;
- 487 (4) Promote healthy living and educate employees about physical activity, healthy
488 eating, stress management, and disease prevention;
- 489 (5) Provide for early detection and screening for key health indicators; and
- 490 (6) Support changes in the work environment to encourage healthy behaviors and
491 breastfeeding and promote occupational safety and health.
- 492 (d) Each agency shall designate one employee as the agency's wellness coordinator who
493 shall have the responsibility of implementing the wellness policy in the agency and promoting
494 wellness programs.
- 495 (e) It is the goal of the District for each agency to achieve the American Heart
496 Association's gold-level designation as a "Fit-Friendly" workplace or other evidence-based
497 workplace initiatives of national or local health organizations.
- 498 Sec. 1093. Healthy food and beverage standards for District government property.
- 499 The Mayor, pursuant to title I of the District of Columbia Administrative Procedure Act,
500 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 et seq.), shall issue rules
501 establishing healthy food and beverage nutrition and procurement standards that are guided by

502 the General Services Administration document "Health and Sustainability Guidelines for Federal
503 Concessions and Vending Operations" for all District agencies no later than one year following
504 the effective date of this act.

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

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

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

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

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

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

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

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

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

530 **SUBTITLE K. EMANCIPATION DAY.**

531 Sec. 1101. Short title.

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

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

536 (a) Section 3 (D.C. Official Code § 1-182) is amended by striking the phrase
537 "Emancipation Day" and inserting the phrase "Emancipation Day. The Mayor shall, in
538 consultation with the Council, coordinate the Emancipation Day Parade" in its place.

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

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

545 **SUBTITLE L. STATEHOOD INITIATIVES BUDGETING**

546 Sec. 1201. Short title.

547 This subtitle may be cited as the "Statehood Initiatives Budgeting Act of 2014".

548 Sec. 1202. Beginning in fiscal year 2015, the Chief Financial Officer shall assign an
549 individual agency-level code for Statehood Initiatives in the District's financial system. The
550 agency shall be used to track the operating budget for the District's efforts to achieve statehood
551 and any funds that are appropriated for that purpose.

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

554 Sec. 1211. Short title.

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

557 Sec. 1212. Section 1089 of the Fiscal Year 2013 Budget Support Act of 2012, effective __,
558 2013 (D.C. Law 19-168; D.C. Official Code § 1-137.08), is amended by striking the phrase
559 “October 1, 2014” and inserting the phrase “January 31, 2015” in its place.

560 **SUBTITLE N. PAY FOR SUCCESS CONTRACT AUTHORIZATION**

561 Sec. 1221. Short title.

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

563 Sec. 1222. Definitions.

564 For the purposes of this act, the following terms are defined as follows:

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

571 (2) ”Social service intermediary” means an organization that is organized and
572 operated pursuant to Internal Revenue Code Section 501(c)(3) or an affiliated legal entity thereof
573 that is so organized and operated and that is capable of entering into a pay for success contract
574 with the District that sets forth outcome based performance standards, contracting with service
575 providers to deliver social services, raising capital to finance the delivery of social services via a
576 social impact funding instrument, and administering the social impact funding instrument by
577 providing ongoing investor relations and project management.

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

580 Sec. 7123. Authorization of pay for success contracts.

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

583 (a) A requirement that payment from the District be conditioned on the achievement of
584 specific outcomes based on defined performance targets;

585 (b) An objective process by which an independent evaluator will determine whether the
586 performance targets have been achieved;

587 (c) A detailed scope of the social service intermediary’s service under the contract;

588 (d) A calculation of the amount and timing of payments to the social service
589 intermediary during each year of the contract if performance targets are achieved as determined
590 by the independent evaluator;

591 (e) A requirement that the social service intermediary create a social impact funding
592 instrument to obtain the funds required for the social program;

593 (f) A sinking fund requirement under which the Mayor shall request a multi-year
594 appropriation for every fiscal year that the contract is in effect, in an amount equal to the
595 expected payments that the District would ultimately be obligated to pay in the future based upon
596 service provided, if performance targets were achieved pursuant to the terms of the contract;

597 (g) A process for the District to review payments made by the social service intermediary
598 through reporting requirements pursuant to the contract; and

599 (h) A determination by the Mayor that the contract will result in significant performance
600 improvements and budgetary savings to the District across all impacted areas if the performance
601 targets are achieved.

602 Sec. 7124. Creation of the Pay for Success Contract Fund.

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

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

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

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

614 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
615 be continually available without regard to fiscal year limitation.

616 **SUBTITLE O. FINANCIAL REPORTING**

617 Sec. 7131. Short title.

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

619 Sec. 7132. No later than January 1, 2015, and on a quarterly basis thereafter, the Chief
620 Financial Officer shall provide a report to the Council on the following subjects:

621 (1) Progress toward ensuring that the fiscal year 2016 budget will be balanced, including:

622 (A) Savings achieved to date;

623 (B) Additional revenue certified through revised revenue estimates; and

624 (C) Additional revenue that may be certified through revenue enhancements;

625 (2) An analysis of procurement reform efforts, including:

626 (A) Contracts reviewed for potential cost savings; and

627 (B) Savings secured through the renegotiation of existing contracts;

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

629 (A) Positions left vacant or eliminated as a result of cost savings initiatives; and

- 630 (B) Savings secured through personnel savings; and
- 631 (4) Any other operating budget savings achieved or targeted.

632 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

633 **SUBTITLE A. MANUFACTURER TASTING PERMIT**

634 Sec 2001. Short title.

635 This subtitle may be cited as the "Manufacturer Tasting Permit Amendment Act of
636 2014".

637 Sec. 2002. Section 25-110(a)(2) is amended to read as follows:

638 "(2)(A) A manufacturer's license, class B, shall authorize the licensee to operate a
639 brewery for the manufacture of beer at the establishment described in the license.

640 "(B) The license shall authorize the licensee to sell the beer manufactured
641 under the license to (i) another licensee under this title for resale; (ii) to a dealer licensed under
642 the laws of any state or territory of the United States for resale; and (iii) to a consumer. Except as
643 provided in subparagraph (C) of this section, the licensee may sell beer to the consumer only in
644 barrels, kegs, cans, and sealed bottles, which shall not be opened after sale, or the contents
645 consumed, on the premises where sold.

646 "(C) The holder of a manufacturer's license, class B, may apply for an on-
647 site sales and consumption permit in order to use a portion of the licensed premises for the on-
648 premises sale, service, and consumption of beer brewed by the brewery and purchased by the
649 customer. The holder of an on-site sales and consumption permit shall only sell, serve, and
650 permit the consumption of beer brewed by the brewery and purchased by the customer between
651 the hours of 1 p.m. and 9 p.m., 7 days a week. The minimum annual fee for an on-site sales and
652 consumption permit shall be \$1,000. The on-premises sales and consumption permit shall not
653 obviate the requirement of the holder of a manufacturer's license, class B, to obtain a tasting
654 permit pursuant to section 25-118, to be authorized to provide samples of beer to a customer at
655 no cost.

656 "(D) A violation of subparagraph (C) of this section shall constitute a
657 primary tier violation."

658 **SUBTITLE B. CONSUMER PROCEDURES AND PROTECTIONS**

659 **ENFORCEMENT**

660 Sec 2011. Short title.

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

663 Sec. 2012. The Consumer Procedures and Protections Act (D.C. Law 1-76; D.C. Official
664 Code § 28-3901 et seq.) is amended as follows:

665 (a) Section 4(a) (D.C. Official Code § 28-3903(a)) is amended by adding a new
666 paragraph (17) to read as follows:

667 "(17) impose civil fines, pursuant to the section 6, as alternative sanctions for any
668 violation of the provisions of this act or of any rules issued under the authority of this act. Any
669 violation of this act, or of any rule issued under the authority of this act, shall be a Class 2
670 infraction pursuant to 16 DCMR 3200.1(b), unless the violation is classified otherwise pursuant
671 to rules issued by the Department."

672 (b) Section 5(m) (D.C. Official Code § 28-3904(m)) is amended to read as follows:

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

675 (c) Section 6(i)(3)(A) (D.C. Official Code § 28-3905(i)(3)(A)) is amended to read as
676 follows:

677 "(3)(A) Any person found to have executed a trade practice in violation of a law
678 of the District within the jurisdiction of the Department may be liable for a civil penalty not
679 exceeding \$1,000.00 for each failure to adhere to a provision of an order described in subsection
680 (f), (g), or (j) of this section, or a consent decree described in subsection (h) of this section."

681 **SUBTITLE C. SOLAR PERMITTING FEES**

682 Sec. 2021. Short title.

683 This subtitle may be cited as the "Solar Permitting Fees Amendment Act of 2014".
684 Sec. 2022. Chapter 101.1(a) of Title 12(K) of the District of Columbia Municipal
685 Regulations (12(K) DCMR § 101.1(a)) is amended by inserting a phrase between the fees for
686 "sign" and "swimming pool" to read as follows:

687	"Solar Photovoltaic	Less than 15 kilowatts	\$250 Residential;
688			\$300 Commercial
689	"15 - 99 kilowatts	\$300 for first 15 kilowatts and \$11.25 per additional kilowatt	
690	"100 - 199 kilowatts	\$1,250 for the first 100 kilowatts and \$2.5 per additional kilowatt	
691	"200 kilowatts or more	\$1,250 for the first 200 kilowatts and \$1 per additional	
692	kilowatt		

693			
694	"Solar Thermal	Fewer than 10 panels	\$250 Residential;
695			\$300 Commercial
696	"10 - 24 panels	\$300 for first 10 panels and	\$25 per additional
697	panel		
698	"25 - 49 panels	\$650 for the first 25 panels and \$15 per additional	
699	panel		
700	"50 panels or more	\$1,010 for the first 50 panels	\$10 per additional panel."

701 **SUBTITLE D. PUBLIC UTILITIES REIMBURSEMENT FEE AMENDMENT**

702 Sec. 2031. Short title.

703 This subtitle may be cited as the "Public Utilities Reimbursement Fee Amendment Act of
704 2014".

705 Sec. 2032. Paragraph 42(b)(1), (2), and (3) of section 8 of An Act Making appropriations
706 to provide for the expenses of the government of the District of Columbia for the fiscal year
707 ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4,
708 1913 (37 Stat. 974; D.C. Official Code § 34-912(b)(1), (2), and (3)) is amended to read as
709 follows:

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

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

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

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

736 revenues of all public utilities, natural gas suppliers, electricity suppliers, and
737 telecommunications service providers.

738 "(C) Subparagraph (B) of this paragraph shall apply as of fiscal year
739 2012."

740 **SUBTITLE E. FILM DC INCENTIVE FUND**

741 Sec 2041. Short title.

742 This subtitle may be cited as the "Film DC Economic Incentive Amendment Act of
743 2014".

744 Sec. 2042. Chapter 5 of Title 39 of the District of Columbia Official Code is amended to
745 read as follows:

746 "Sec. 2103. Film DC Economic Incentive Grant Fund.

747 "(a) There is hereby established a segregated, non-lapsing fund to be known as the Film
748 DC Economic Incentive Grant Fund ("Fund"). The Fund shall appear as a separate program line
749 within the budget of the Office of Motion Picture and Television Development. The Fund shall
750 be funded by annual appropriations. All funds deposited into the Fund shall not revert to the
751 General Fund of the District of Columbia at the end of any fiscal year or at any other time, but
752 shall be continually available for the uses and purposes set forth in this act, subject to
753 authorization by Congress in an appropriations act.

754 "(b)(1) The funds in the Fund shall be used:

755 "(A) To provide incentives through discretionary grants for film and
756 television projects that expend at least \$500,000 in qualified expenses in a period of 5 or more
757 days for production activities located in the District of Columbia, in an amount not to exceed
758 100% of the taxes paid to the District on the qualified expenses; and

759 "(B) For administrative costs and monitoring of the Fund.

760 "(2) For the purposes of this subsection, the term "qualified expenses" means the costs
761 incurred in the District for the production of the film or television project (including all expenses
762 incurred in the District of Columbia from vehicle rentals, camera equipment, lighting, stage

763 equipment, recording equipment, costumes, wardrobe, construction materials, props, scenery
764 materials, film and tape, design materials, special effects materials, fabrication, printing or
765 production of scripts, storyboards, costumes, salaries paid to District residents, hotel expenses,
766 food and alcohol purchases, restaurant expenses, and related supplies and equipment).

767 “(c) The Mayor shall submit an annual report to the Council, on or before December 31
768 of each year, for the fiscal year concluding September 30 that includes:

769 “(1) For each grant, the amount of the grant, the rationale for the grant, and the
770 revenue generated for the District by each project for which a grant was awarded;

771 “(2) The criteria used in evaluating the grant proposals; and

772 “(3) The number of grant applications received and a description of each project
773 for which a grant application was made.

774 “(d) For all funds in the Fund, the Office of Motion Picture and Television Development
775 shall have grant making authority.

776 “Sec. 2104. Rulemaking.

777 “The Mayor may promulgate rules necessary to implement this act.”.

778 **SUBTITLE F. FREE TRANSPORTATION FOR SUMMER YOUTH**

779 Sec. 2051. This subtitle may be cited as the "Free Transportation for Summer Youth
780 Amendment Act of 2014".

781 Sec. 2052. Section 2(c) of the School Transit Subsidy Act of 1978, effective March 6,
782 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(c)), is amended as follows:

783 (1) Paragraph (1)(B) is amended by striking the phrase "District; or " and
784 inserting the phrase "District;" in its place.

785 (2) Paragraph (2) is amended by the striking the phrase "of age." and inserting the
786 phrase "of age; or" in its place.

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

788 "(3) Participants in the Summer Youth Employment Program administered by the
789 Department of Employment Services pursuant to section 2 of the Youth Employment Act of

790 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), for the first 3
791 weeks of the summer 2015 program."

792 **SUBTITLE G. FOOD STAMP EXPANSION**

793 Sec. 2061. Short title.

794 This subtitle shall be cited as "Food Stamp Expansion Amendment Act of 2014".

795 Sec. 2062. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law
796 18-111; D.C. Official Code §§ 4-261.01 *et seq.*), is amended by adding a new section 5084 to
797 read as follows:

798 "Sec. 5084. Locally funded minimum benefit.

799 "Beginning January 1, 2015, a family participating in the food stamp program whose
800 federally funded household benefit is less than \$30 per month shall receive locally funded
801 benefits to bring the household's total benefit to \$30 per month."

802 **SUBTITLE H. CABLE TELEVISION O-TYPE TRANSFER**

803 Sec. 2071. Short title.

804 This subtitle may be cited as the "Cable Television O-Type Transfer Amendment Act of
805 2014".

806 Sec. 2072. Notwithstanding any other provision of law, for fiscal year 2015, the Chief
807 Financial Officer shall transfer to the unrestricted fund balance of the General Fund of the
808 District of Columbia and recognize as local funds \$1,800,000 of fiscal year 2014 Cable
809 Television Franchise Fee revenues. Those funds shall be transferred as follows:

810 (a) \$500,000 to hire 10 family case managers at the DC General Hospital homeless
811 shelter;

812 (b) \$1 million for the Community Schools Fund operated by the Office of the State
813 Superintendent for Education and established by the Raising the Expectations for Education
814 Outcomes Omnibus Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code
815 § 38-751.01 *et seq.*); and

816 (c) \$300,000 to the Department of Housing and Community Development for the Home
817 Purchase Assistance Program, Program 3030, established pursuant to Chapter 25 of Title 14 of
818 the District of Columbia Municipal Regulations (14 DCMR § 2501 et seq.).

819 Sec. 2073. Applicability.

820 This subtitle shall apply on September 30, 2014.

821 **SUBTITLE I. HOME PURCHASE ASSISTANCE PROGRAM**

822 Sec. 2081. This subtitle shall be cited as the "Home Purchase Assistance Program
823 Amendment Act of 2014".

824 Sec. 2082. Section 14-2503.01(b) of Title 14 of the District of Columbia Municipal
825 Regulations (14 DCMR § 2503.01(b)) is amended to read as follows:

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

832 **SUBTITLE J. RETAIL PRIORITY AREA**

833 Sec. 2091. This subtitle may be cited as the "Retail Priority Area Amendment Act of
834 2014".

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

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

844 "(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and
845 lots within the area bounded by a line beginning at the intersection of Kenyon Street, N.W. and
846 Sherman Avenue, N.W.; continuing north along Sherman Avenue, N.W. to New Hampshire
847 Avenue, N.W.; then continuing northeast along New Hampshire Avenue, N.W. to Spring Road,
848 N.W.; then continuing northwest along the center line of Spring Road, N.W. to Kansas Avenue,
849 N.W.; continuing northeast along Kansas Avenue, N.W. to Georgia Avenue; then continuing
850 north along Georgia Avenue, N.W. to Allison Street N.W., then continuing west along Allison
851 Street N.W. to 14th Street, N.W., then continuing north along 14th Street, N.W. to Longfellow
852 Street, N.W., then continuing east along Longfellow Street, N.W. to Georgia Avenue, N.W., then
853 continuing north along Georgia Avenue, N.W. to Eastern Avenue, N.W., then continuing
854 southeast along Eastern Avenue, N.W., to Kansas Avenue, N.E.; then continuing southwest
855 along Kansas Avenue, N.E. to Blair Road, N.W., then continuing south along Blair Road, N.W.,
856 to North Capitol Street, N.E., then continuing south along North Capitol Street, N.E., to Kennedy
857 Street, N.W., then continuing west along Kennedy Street, N.W., to Kansas Avenue, N.W., then
858 continuing southwest along Kansas Avenue, N.W. to Varnum Street, N.W.; then continuing east
859 along Varnum Street, N.W. to 7th Street, N.W.; then continuing south along the center line of 7th
860 Street, N.W., until the point where 7th Street, N.W., becomes Warder Street, N.W.; then
861 continuing further south along Warder Street, N.W., to the center line of Kenyon Avenue, N.W.;
862 and then continuing west along Kenyon Avenue, N.W. to the beginning point;"

863 **SUBTITLE K. RESIDENTIAL ESSENTIAL SERVICE SUBSIDY**

864 **STABILIZATION**

865 Sec. 2101. Short title.

866 This act may be cited as the "Residential Essential Service Subsidy Stabilization
867 Amendment Act of 2014".

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

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

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

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

874 (1) Subsection (b)(1) is amended by striking the number ".006" and inserting the
875 number ".00391" in its place.

876 (2) Subsection (c) is amended by striking the phrase "programs in the amount of
877 \$2.409 million in fiscal year 2011, and \$2.6 million annually thereafter" and inserting the phrase
878 "program in the amount of \$2 million annually, and the Mayor shall have the fund audited every
879 2 years to ensure that the assessment imposed pursuant to subsection (b)(1) of this section is
880 appropriately set to fund the low-income program funded by the EATF."

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

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

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

887 **SUBTITLE L. RENEWABLE ENERGY PORTFOLIO STANDARD**

888 Sec. 2111. Short title.

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

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

894 **SUBTITLE P. ACCRUED SICK AND SAFE LEAVE CLARIFICATION**
895 **AMENDMENT**

896 Sec. 2131. Short title.

897 This subtitle may be cited as the “Accrued Sick and Safe Leave Clarification Amendment
898 Act of 2014”.

899 Sec. 2132. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.
900 Law 17-152; D.C. Official Code § 32-131.01 et seq.), is amended as follows:

901 (a) Section 3 (D.C. Official Code § 32-131.02) is amended as follows:

902 (1) Subsection (c) is amended to read as follows:

903 “(c)(1) Paid leave under this act shall accrue in accordance with the employer’s
904 established pay period. An individual shall accrue paid leave at the beginning of his or her
905 employment. An employee may begin to access paid leave after 90 days of service with his or
906 her employer.

907 “(A) If an employee is transferred to a separate division, entity, or location
908 within the District, or transferred out of the District and then transferred back to a division,
909 entity, or location within the District, but remains employed by the same employer, the employee
910 shall be entitled to all paid leave accrued at the prior division, entity, or location and shall be
911 entitled to use all paid leave as provided in this act.

912 “(B) When there is a separation from employment and the employee is
913 rehired within one year of separation by the same employer, previously accrued unused paid
914 leave shall be reinstated. The employee shall be entitled to use accrued paid leave and accrue
915 additional paid leave immediately upon the recommencement of employment; provided, that the
916 employee had previously been eligible to use paid leave. If there is a separation of more than one
917 year, an employer shall not be required to reinstate accrued paid leave and the rehired employee
918 shall be considered to have newly commenced employment.

919 “(C) An employee who is discharged after the completion of a
920 probationary period of 90 days or more, and is rehired within one year from the date of
921 discharge, may access paid leave immediately.

922 “(2) An employee’s unused paid leave accrued during a 12-month period shall
923 carry over annually. An employee shall not use in one year more than the maximum hours as
924 allowed in subsection (a)(1) and (2) of this section, unless the employer chooses otherwise.
925 Unused paid leave accrued under this chapter shall not be reimbursed upon the termination or
926 resignation of any employee.

927 “(3) Upon mutual consent by the employee and the employer, an employee who
928 chooses to work additional hours or shifts during the same or next pay period in lieu of hours or
929 shifts missed, shall not use paid leave; provided, that the employer does not require the employee
930 to work such additional hours or shifts.”.

931 (b) Section 9 (D.C. Official Code § 32-131.08) is amended as follows:

932 (1) Subsection (b)(2)(C) is amended by striking the phrase “civil complaint” and
933 inserting “civil or administrative complaint” in its place.

934 (2) Subsection (b)(2)(F) is amended by striking the phrase “unlawful under this
935 act” and inserting the phrase “a violation of this act” in its place.

936 (c) Section 11a (to be codified at D.C. Official Code § 32-131.10a) is amended to read as
937 follows:

938 “Sec. 11a. All civil or administrative complaints brought under this act shall be filed
939 within 3 years after the event or final instance of a series of events on which the complaint is
940 based, except the 3-year period shall be tolled for the duration of any period during which the
941 employer does not post the notice required under section 10 or, for civil complaints, when an
942 administrative complaint is filed.”.

943 (d) Section 13 (D.C. Official Code § 32-131.12) is amended as follows:

944 (1) Subsection (c) is amended by striking the phrase “civil penalty” and inserting
945 the phrase “civil penalty for each affected employee” in its place.

946 (2) Subsection (d)(3) is amended to read as follows:

947 “(3) Compensatory damages and additional damages as provided in subsection
948 13(b); and”.

949 (3) Subsection (e)(3) is amended to read as follows:

950 ““(3) Compensatory damages, punitive damages, and additional damages as
951 provided in subsection 13(b); and ”.

952 **TITLE III. PUBLIC SAFETY AND JUSTICE**

953 **SUBTITLE A. MPD ESCORT AND REIMBURSEMENT**

954 Sec. 3001. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

983 "(B) Fees paid pursuant to section 3002 of the Fiscal Year 2015 Budget
984 Support Act of 2014 (Bill 20-750).

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

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

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

991 Sec. 3004. Conforming amendment.

992 Section 3052(a) of the FEMS Special Events Fee Fund Establishment Act of 2007,
993 effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.81(a)), is amended
994 by striking the phrase "all fees assessed and collected" and inserting the phrase "all fees assessed
995 and collected relating to FEMS service delivery" in its place.

996 **SUBTITLE B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT**

997 Sec. 3011. Short title.

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

1000 Sec. 3012. Section 1a of An Act To classify the officers and members of the fire
1001 department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat.
1002 314; D.C. Official Code § 5-401.01), is amended to read as follows:

1003 “(a) For the purposes of this section, the term “DC Streetcar” means the rail-fixed
1004 guideway public transportation system operated by the District Department of Transportation
1005 pursuant to section 2 of the Department of Transportation Establishment Act of 2002, effective
1006 March 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01), or any future rail-fixed
1007 guideway public transportation system operated by the District, whichever exists.

1008 “(b) The Fire and Emergency Medical Services Department is designated as the state
1009 safety oversight agency, as required by 49 USC §53 et seq. and implementing regulations, as
1010 they may be amended from time to time (hereinafter referred to as “applicable federal law”).

1011 “(c) There is established, within the Fire and Emergency Medical Services Department, a
1012 state safety office. The state safety office shall be headed by a Program Manager. The Program
1013 Manager shall not be supervised by, or under the direction or control of, any District officer or
1014 employee, or anyone acting on the their behalf, responsible for any aspect of the operation of the
1015 DC Streetcar.

1016 “(d) The Program Manager of the state safety office, or his or her designee, shall, in
1017 accordance with applicable federal or District law:

1018 “(1) Oversee the operations of the DC Streetcar insofar as those operations affect,
1019 or could affect, the safe operation of the DC Streetcar;

1020 “(2) Conduct, or cause to be conducted, investigations, independently or in
1021 cooperation with federal or District offices or agencies, into the operations of the DC Streetcar,
1022 including any accident or incident involving the operations or assets of the DC Streetcar, insofar
1023 as those operations affect, or could affect, the safe operation of the DC Streetcar;

1024 “(3) Audit the DC Streetcar system for compliance with safety-related plans, or
1025 for any other purpose the Program Manager concludes would promote the safe operation of the
1026 DC Streetcar;

1027 “(4) Issue reports and findings regarding all aspects of the safety and security of
1028 the DC Streetcar, including operations and accidents, when:

1029 “(A) The issuance of reports and findings is required by federal or District
1030 law; or

1031 “(B) The Program Manager determines that such action would promote
1032 the safe operation of the DC Streetcar;

1033 “(5) Require the DC Streetcar to develop and submit safety-related plans to the
1034 Program Manager for review. After review, the Program Manager shall approve or disapprove
1035 the safety-related plans as appropriate;

1036 “(6) Enforce statutes, regulations, and executive orders related to the safe
1037 operation of the DC Streetcar. If the Program Manager concludes that enforcement is required in
1038 order to protect or promote public safety, the Program Manager may:

1039 “(A) Order the partial or complete cessation of an activity undertaken by
1040 the District government, or any entity acting on the District government’s behalf, in connection
1041 with the operation of the DC Streetcar; and

1042 “(B) Take any other enforcement actions that are consistent with federal
1043 or District requirements related to the safe operation of the DC Streetcar.

1044 “(7) Conduct any other activity and take any other action necessary to implement
1045 federal or District laws or regulations related to the functions and responsibilities of a state safety
1046 oversight agency;

1047 “(8) Execute and file an application on behalf of the District with the Federal
1048 Transit Administration (“FTA”) for federal assistance authorized by 49 U.S.C. §53 et seq., Title
1049 23 of the United States Code, or other federal statutes authorizing a project administered by the
1050 FTA;

1051 “(9) Execute and file with its application for federal assistance submitted under
1052 paragraph (8) of this subsection the annual certifications, assurances, and other documents
1053 required by the FTA to award a federal assistance grant or cooperative agreement; and

1054 “(10) Execute grant and cooperative agreements with the FTA on behalf of the
1055 District.

1056 “(b) Pursuant to Title I of the District of Columbia Administrative Procedure Act
1057 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), the Program
1058 Manager may issue rules to implement this section.”.

1059 **SUBTITLE C. MICROSTAMPING IMPLEMENTATION**

1060 Sec. 3021. Short title.

1061 This subtitle may be cited as the "Microstamping Implementation Amendment Act of
1062 2014".

1063 Sec. 3022. The Firearms Control Regulations Act of 1975, effective September 24, 1976
1064 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 et seq.), is amended as follows:

1065 (a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the phrase
1066 "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

1067 (b) Section 503 (D.C. Official Code § 7-2505.03) is amended by striking the phrase
1068 "January 1, 2014" wherever it appears and inserting the phrase "January 1, 2016" in its place.

1069 **SUBTITLE D. ACCESS TO JUSTICE**

1070 Sec. 3031. Short title.

1071 This subtitle may be cited as the “Access to Justice Initiative Administrative Costs
1072 Amendment Act of 2014”.

1073 Sec. 302. The Access to Justice Initiative Establishment Act of 2010, effective Sept. 24,
1074 2010 (D.C. Law 18-223, D.C. Official Code § 4-1701.01 et seq.) is amended as follows:

1075 (a) Section 201 (D.C. Official Code § 4-1702.01) is amended by striking the word
1076 "programs" and inserting the phrase "programs. The provisions of this subtitle shall be exempt

1077 from the requirements of the Grant Administration Act of 2013, effective December 24, 2014
1078 (D.C. Law 20-61, D.C. Official Code § 1-328.11 *et seq.*)" in its place.

1079 (b) Section 301(b) (D.C. Official Code § 4-1704.01(c)) is amended as follows:

1080 (1) By designating the existing text as paragraph (1); and

1081 (2) By adding a new paragraph (2) to read as follows:

1082 “(2) Any training or evaluation deemed necessary by the Bar Foundation for
1083 purposes of the Initiative shall be permitted as a non-administrative expense, with reasonable
1084 expenses for these purposes not restricted to the percentage set aside under this paragraph.”

1085 (c) Section 401(c) (D.C. Official Code § 1704.01(c)) is amended as follows:

1086 (1) Subparagraph (3) is amended by striking the phrase “The Administer may
1087 use” and inserting the phrase “Except as provided in paragraph (4) of this subsection, the
1088 Administrator may use” in its place.

1089 (2) A new subparagraph (4) to read as follows:

1090 “(4) If the Deputy Mayor has designated the Bar Foundation as Administrator, the
1091 Bar Foundation may, in lieu of using a percentage of LRAP grant funding under paragraph (3),
1092 use a portion of funds authorized under section 301(b) for reasonable administrative expenses
1093 associated with administering the LRAP.”.

1094 **SUBTITLE E. DEPUTY CHIEF MEDICAL EXAMINER**

1095 Sec. 3041. Short title.

1096 This subtitle may be cited as the “Deputy Chief Medical Examiner Amendment Act of
1097 2014”.

1098 Sec. 3042. Section 2903(b) of the Establishment of the Office of the Chief Medical
1099 Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-
1100 1402(b)), is amended by striking the phrase “Deputy CME” and inserting the phrase “Deputy
1101 CME, to be paid at an annual rate of \$206,000,” in its place.

1102 **SUBTITLE F. FEMS OVERTIME LIMITATION**

1103 Sec. 3051. Short title.

1104 This subtitle may be cited as the “Fire and Emergency Medical Services Overtime
1105 Limitation Amendment Act of 2014”.

1106 Sec. 3052. Section 1103(f) of the District of Columbia Government Comprehensive
1107 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1
1108 611.03(f)), is amended as follows:

1109 (a) Paragraph (2)(B) is amended by striking the phrase “2011, 2012, 2013, and 2014” and
1110 inserting the phrase “2011, 2012, 2013, 2014, and 2015” in its place.

1111 (b) Paragraph (4)(A) is amended as follows:

1112 (1) Strike the phrase “2011, 2012, 2013, and 2014” and insert the phrase “2011,
1113 2012, 2013, 2014, and 2015” in its place.

1114 (2) Strike the phrase “\$ 20,000” and insert the phrase “\$ 30,000” in its place.

1115 Sec. 3053. Section 2 of An Act To amend the Act entitled "An Act to classify the officers
1116 and members of the Fire Department of the District of Columbia, and for other purposes",
1117 approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C.
1118 Official Code § 5-405), is amended as follows:

1119 (a) Subsection (f) is amended by striking the phrase “2011, 2012, 2013, and 2014” and
1120 insert the phrase “2011, 2012, 2013, 2014, and 2015” in its place.

1121 (b) Subsection (g) is amended by striking the phrase “2011, 2012, and 2013” and
1122 inserting the phrase “2011, 2012, 2013, and 2014” in its place.

1123 **TITLE IV. PUBLIC EDUCATION**

1124 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC** 1125 **SCHOOLS AND PUBLIC CHARTER SCHOOLS**

1126 Sec. 4001. Short title.

1127 This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools
1128 Amendment Act of 2014".

1129 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
 1130 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
 1131 38-2901 et seq.), is amended as follows:

1132 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase
 1133 "\$9,306 per student for fiscal year 2014" and inserting the phrase "\$9,492 per student for fiscal
 1134 year 2015" in its place.

1135 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
 1136 and inserting the following chart in its place:

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

1137 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

1138 "(c)(1) The supplemental allocations shall be calculated by applying weightings to the
 1139 foundation level as follows:

1140 "Special Education Add-ons:

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:	More than 24 hours per week which	3.49	\$33,127

Special Education	may include instruction in a self-contained (dedicated) special education school other than residential placement		
"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 attorney's fees.	0.089	\$845
"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

1141 "General Education Add-ons:

1142

Level/Program	Definition	Weighting	Per Pupil Allocation in FY 2015
ELL	Additional funding for English Language Learners	0.48	\$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

1143 "Residential Add-ons:

1144

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	1.337	\$12,691

	that provides students with room and board in a residential setting		
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 proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	\$27,280
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

1145 " Special Education Add-ons for Students with Extended School Year ("ESY") Indicated
 1146 in Their Individualized Education Programs ("IEPs"):
 1147

	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

1148 "(2) Pursuant to section 106a (D.C. Official Code § 38-2905.01),
1149 allocations in addition to the grade level and supplemental allocations provided pursuant to
1150 section 105 and 106 shall be provided in accordance with section 106a for students identified as
1151 At-risk."

1152 (d) Section 106a(c) (20 DCSTAT 2954) is amended by striking the period at the end and
1153 inserting the phrase "; provided, that for students identified as both as at-risk and as participating
1154 in an alternative program, only the alternative program weighting shall apply." in its place.

1155 **SUBTITLE B. ALTERNATIVE SCHOOLS**

1156 Sec. 4011. This subtitle may be cited as the "Alternative Education Amendment Act of
1157 2014".

1158 Sec. 4012. Section 102(1B) of the Uniform Per Student Funding Formula for Public
1159 Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998,
1160 effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1B) is amended to
1161 read as follows:

1162 "(1B) "Alternative program" means specialized instruction for students under
1163 court supervision or who have a history of being on short- or long-term suspension or who have
1164 been expelled from school, or who meet other criteria as defined by the State Education Office
1165 through rulemaking. To qualify as an alternative program, a school must meet the criteria and
1166 rules set by the State Education Office. An alternative program may describe an entire school or
1167 a specialized program within a school."

1168 **SUBTITLE C. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL**

1169 **BOARD FUNDING**

1170 Sec. 4021. Short title.

1171 This subtitle may be cited as the "District of Columbia Public Charter School Board
1172 Funding Amendment Act of 2014".

1173 Sec. 4022. Section 2211(b)(2) of the District of Columbia School Reform Act of 1995,
1174 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.11(b)(2)), is amended by
1175 striking the phrase "one-half of one percent" and inserting the phrase "one percent" in its place.

1176 **SUBTITLE D. PREFERENCES IN ADMISSION FOR PUBLIC CHARTER**

1177 **SCHOOL APPLICANTS.**

1178 Sec. 4031. Short title.

1179 This subtitle may be cited as the "Preferences in Admission for Public Charter Schools
1180 Act of 2014."

1181 Sec. 4032. Section 2206(c) of the District of Columbia School Reform Act of 1995,
1182 approved April 26, 1996 (110 Stat. 1321; D.C. Code, § 38-1802.06(c)), is amended to read as
1183 follows:

1184 "(c) If there are more applications to enroll in a public charter school from students who
1185 are residents of the District of Columbia than there are spaces available, students shall be
1186 admitted using a random selection process; except, that a preference in admission may be given
1187 to an applicant who is a:

1188 "(1) Sibling of a student already attending or selected for admission to the public
1189 charter school in which the applicant is seeking enrollment;

1190 "(2) Child of a member of the public charter school's founding board; provided,
1191 that enrollment of such children is limited to no more than 10% of the school's total enrollment
1192 or to 20 students, whichever is less; and

1193 "(3) Child of a full time employee of the public charter school who is a District
1194 resident; provided, that enrollment of such children is limited to no more than 10% of the
1195 school's total enrollment.

1196 **SUBTITLE E. RESIDENCY EXEMPTION FOR WARDS OF THE STATE**

1197 Sec. 4041. Short Title.

1198 This subtitle may be cited as the "Educational Continuity Act of 2014."

1199 Sec. 4042. The District of Columbia Nonresident Tuition Act, approved September 8,
1200 1960 (74 Stat. 853, Pub. L. 86-725, D.C. Code §38-302) is amended by inserting a new
1201 paragraph (e) to read as follows:

1202 "(e) Notwithstanding the provisions of subsection (a) of this section, a child in the care
1203 and custody of the District pursuant to D.C. Official Code § 16-2320(a)(3) who while attending a
1204 DCPS or public charter school ceases to be in that care and custody as a result of being placed in
1205 the permanent care and custody of a parent, guardian, or custodian who resides outside the
1206 District of Columbia shall be considered a resident of the District of Columbia for the purpose of
1207 school attendance and shall be exempt from the requirement to pay tuition for the period of time
1208 until the child completes the educational program offered at the school the child currently
1209 attends."

1210 **SUBTITLE F. ESTABLISHMENT OF THE COMMON LOTTERY BOARD**

1211 Sec. 4051. Short Title.

1212 This subtitle may be cited as the "Common Lottery Advisory Board Establishment
1213 Amendment Act of 2014."

1214 Sec. 4052. The Department of Education Establishment Act, effective June 12, 2007,
1215 (D.C. Law 17-9; D.C. Code § 38-191 et. seq.), is amended as follows:

1216 (a) Section 202 (D.C. Official Code § 38-191) is amended as follows:

1217 (1) Paragraph (7) is amended by striking the word "and" at the end.

1218 (2) Paragraph (8) is amended by striking the period and inserting the phrase ";
1219 and" in its place.

1220 (3) A new paragraph (9) is added to read as follows:

1221 "(9) Provide administrative and technical support for the Common Lottery
1222 Board."

1223 (b) New sections 205 and 206 (to be codified at D.C. Official Code §§ 38-194 and 38-
1224 195) are added to read as follows:

1225 "Sec. 205. Common Lottery Board; establishment.

1226 "(a)(1) There is established a Common Lottery Board ("CLB") within the Department of
1227 Education. The purpose of the CLB shall be to develop and maintain a common lottery system
1228 for admission to public schools in the District of Columbia and shall:

1229 "(A) Adopt policies and procedures to govern the common lottery system,
1230 to be implemented by the Department of Education;

1231 "(B) Develop a 5-year strategic plan for the continuous improvement of
1232 the common lottery system;

1233 "(C) Develop an annual budget for the common lottery system;

1234 "(D) Promote participation of local educational agencies in the common
1235 lottery system;

1236 "(E) Identify critical entities with which to partner that will enable the
1237 CLB to further develop the common lottery system; and

1238 "(F) Solicit input from a Parent Advisory Council as established by the
1239 CLB;

1240 "(2) The CLB shall be funded through local appropriations and any private
1241 funding that it receives. The CLB may solicit, accept, and use private gifts, grants, or donations
1242 to further its stated purposes.

1243 "(3) The CLB shall adopt its own by-laws and rules of procedure.

1244 "(4) The CLB may utilize District public space for its official duties.

1245 "(5) Subject to the availability of appropriations, the Chairperson shall appoint,
1246 terminate, and fix the pay of an Executive Director of the CLB; provided, that the CLB shall
1247 approve the appointment and termination of the Executive Director.

1248 "(b) The CLB shall consist of the following 10 members:

1249 "(1) Seven voting members as follows:

1250 "(A) The Deputy Mayor for Education, or designee, who shall serve as
1251 Chairperson of the CLB;

1252 "(B) The Chancellor of the District of Columbia Public School ("DCPS"),
1253 or designee;

1254 "(C) Two representatives from DCPS, as appointed by the Chancellor;

1255 "(D) Three representatives from public charter schools, each appointed by
1256 a vote among charter schools as organized by the Public Charter School Board "(PCSB"); and

1257 "(2) Three non-voting members as follows:

1258 "(A) The State Superintendent of Education, or designee;

1259 "(B) The Chair of the Public Charter School Board "(PCSB"), or designee;

1260 and

1261 "(C) The Executive Director of the CLB."

1262 "(c)(1) Except as provided in paragraph (2) of this subsection, the representatives
1263 appointed by DCPS and by a vote organized by the PCSB ("termed members") shall serve 2-year
1264 terms, and may be reappointed without limitation.

1265 "(2) The initial appointment of the termed members shall be as follows:

1266 "(A) One member appointed by DCPS and one member appointed by a
1267 vote organized by the PCSB, to serve terms of 2 years, with the term to begin on July 1 and end
1268 on June 30; and

1269 "(B) One member appointed by DCPS and two members appointed by a
1270 vote organized the PCSB to serve terms of one year, with the term to begin on July 1 and end on
1271 June 30.

1272 "(3) When a vacancy occurs in the membership of the CLB for reasons other than
1273 the expiration of a term, an appointment to fill the remainder of the vacated term shall be made
1274 in the same manner as prescribed in subsection (b)(1)(C) or (D) of this section, whichever is
1275 applicable.

1276 "Sec. 206. Common Lottery Board Fund; establishment.

1277 "(a) There is established as a special fund the Common Lottery Board Fund ("Fund"),
1278 which shall be administered by the Deputy Mayor for Education in accordance with subsections
1279 (c) and (d) of this section.

1280 "(b) Deposits into the Fund shall include:

1281 "(1) Appropriated funds;

1282 "(2) Gifts,

1283 "(3) Grants; and

1284 "(4) Donations.

1285 "(c) Money in the Fund shall be used for the continued development and improvement of
1286 the common lottery system.

1287 "(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
1288 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal
1289 year, or at any other time.

1290 "(2) Subject to authorization in an approved budget and financial plan, any funds
1291 appropriated in the Fund shall be continually available without regard to fiscal year limitation."

1292 **SUBTITLE G. EDUCATION FUNDING FORMULA EQUITY**

1293 Sec. 4061 Short title.

1294 This subtitle may be cited as the "Education Funding Formula Equity Amendment Act of
1295 2014".

1296 Sec. 4062. Section 115 of the Uniform Per Student Funding Formula for Public Schools
1297 and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C.
1298 Official Code § 38-2913), is amended by striking the phrase "fiscal year 2015" and inserting the
1299 phrase "fiscal year 2016" in its place.

1300 **SUBTITLE H. HEALTHY TOTS**

1301 Sec. 4071. Short title.

1302 This subtitle may be cited as the "Healthy Tots Act of 2014".

1303 Sec. 4072. Definitions.

1304 For the purposes of this subtitle, the term:

1305 (1) "Child and Adult Care Food Program" or "CACF Program" means the
1306 program authorized by section 17 of the National School Lunch Act, approved October 7, 1975
1307 (89 Stat. 522; 42 U.S.C. § 1766).

1308 (2) "Child development facility" means a licensed community-based center,
1309 home, or other structure, regardless of its name, that provides care, supervision, guidance, and
1310 other services for infants, toddlers, and preschoolers on a regular basis. The term "child
1311 development facility" does not include a child development center or program that is sponsored
1312 or run by a public or private school.

1313 (3) "Eligible child" means a child who is a District resident who occupies a slot
1314 funded in whole or in part by the childcare subsidy program, authorized by section 3 of the Day
1315 Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-
1316 402), the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools
1317 Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 et seq.),
1318 or the District of Columbia Public Schools' Head Start program.

1319 (4) "Farm-to-preschool programs" means programs at child development facilities
1320 that connect early care and education settings to local food producers, as an extension of the
1321 farm-to-school model, which connect children to local foods through meals and snacks, taste
1322 tests, lessons, farmer visits, cooking, field trips, growing food, and community and parent
1323 engagement.

1324 (5) "Infant" means a child younger than 12 months of age.

1325 (6) "Locally grown" shall have the same meaning as in section 101(3) of the
1326 Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code §
1327 38-821.01(3)).

1328 (7) "OSSE" means the Office of the State Superintendent of Education,
1329 established by section 2 of the State Education Office Establishment Act of 2000, effective
1330 October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

1331 (8) "Preschool" or "preschooler" means a child older than 24 months of age but
1332 younger than compulsory school attendance age, who is not enrolled in a public, charter, or
1333 private school.

1334 (9) "Sustainable agriculture" shall have the same meaning as in section 101(9) of
1335 the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code
1336 § 38-821.01(9)).

1337 (10) "Toddler" means a child between 12 months of age and 24 months of age.

1338 (11) "Unprocessed" shall have the same meaning as in section 101(10) of the
1339 Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code §
1340 38-821.01(9)).

1341 (12) "WIC" means the Special Supplemental Nutrition Program for Women,
1342 Infants, and Children, as provided in section 17 of the Child Nutrition Act of 1966, approved
1343 September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).

1344 Sec. 4073. Establishment of the Healthy Tots Fund.

1345 (a) There is established as a special fund named the Healthy Tots Fund ("Fund"), which
1346 shall be administered by OSSE in accordance with this section.

1347 (b)(1) The Fund shall be funded by annual appropriations, which shall be deposited into
1348 the Fund. The money deposited into the Fund, and interest earned, shall not revert to the
1349 unrestricted fund balance of the General Fund at the end of a fiscal year, or at any other time.

1350 (2) Subject to authorization in an approved budget and financial plan, any funds
1351 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

1352 (c) OSSE shall make funds from the Fund available for the following purposes:

1353 (1) To provide additional funding for healthy meals served by child development
1354 facilities participating in the CACF Program by reimbursing the child development facility for
1355 each meal that meets the rules issued pursuant to this act as follows:

1356 (A) For meals eligible for reimbursement through the CACF Program
1357 served to an eligible child:

1358 (i) Ten cents for each breakfast;
1359 (ii) Ten cents for each lunch; and
1360 (iii) Ten cents for each supper;
1361 (B) For breakfasts served to any child attending the child development
1362 facility but are not eligible for reimbursement through the CACF Program because child
1363 development facilities have maximized the number of allowable reimbursable meals, an amount
1364 of local funding equal to the free federal rate as established under the CACF Program; provided,
1365 that the breakfasts meet the rules issued pursuant this act; and provided further, that at least 75%
1366 of the children attending the child development facility are District residents and at least 50% are
1367 eligible to receive free or reduced meals.

1368 (2)(A) To provide additional funding to child development facilities participating
1369 in the Child and Adult Care Food Program that use local foods by reimbursing the child
1370 development facility an additional \$0.05 per lunch or supper that meets the rules issued pursuant
1371 to this act served to eligible children and at least one component of a meal is comprised entirely
1372 of locally grown and unprocessed foods; provided, that the child development facility reports to
1373 OSSE the name and address of the local farms where the foods were grown.

1374 (B) For purposes of this paragraph, the term "locally grown and
1375 unprocessed foods" shall not include milk.

1376 (d) In addition to the requirements set forth in subsection (c) of this section, and subject
1377 to available funding, OSSE shall make funds from the Fund available:

1378 (1) To make competitive grants available to child development facilities
1379 participating in the Child and Adult Care Food Program to support physical activity, nutrition,
1380 gardens, natural play areas, and farm-to-preschool programs; and

1381 (2) As an incentive to increase participation in the Child and Adult Care Food
1382 Program, provide a \$300 grant per year to a child development home that participates in the
1383 Child and Adult Care Food Program to help pay for costs associated with licensing, renewal, and
1384 other related expenses.

1385 (e) A child development facility receiving a reimbursement or other funding pursuant to
1386 this section shall provide the meals at no charge to participating infants, toddlers, and
1387 preschoolers.

1388 (f)(1) OSSE may, by rule, increase the amount of reimbursements, grants, or other
1389 funding provided by this section to further improve the quality and nutrition of meals provided
1390 by a child development facility.

1391 (2) OSSE may withhold reimbursements or other funding authorized by this
1392 section from a child development facility that does not meet the requirements of this act, or rules
1393 issued pursuant to this act.

1394 Sec. 4074. OSSE requirements.

1395 (a) OSSE shall:

1396 (1) Provide training to support the efforts of a child development facility to meet
1397 the requirements of this act;

1398 (2) Monitor the progress of a child development facility in complying with this
1399 act during the facility's licensing process and record collected data in each facility's compliance
1400 history;

1401 (3) Provide to the Mayor, the Council, and the Healthy Schools and Youth
1402 Commission an annual evaluation of the effect of the implementation of this act on the health,
1403 well-being, and school-readiness of participating District children.

1404 (b) Within 60 days of the effective date of this act, add participation in the Child and
1405 Adult Care Food Program to the searchable criteria on the website for the OSSE Child Care
1406 Connections, which is the District's child care resource and referral center.

1407 (c) No later than December 30 of each year, submit, in conjunction with the Department
1408 of Health, a report to the Council and the Mayor on the efforts to promote WIC in child
1409 development facilities, including data on:

1410 (1) Identifying opportunities to better promote WIC at child development
1411 facilities;

1412 (2) The feasibility of the development of a breastfeeding-friendly rating for child
1413 development facilities; and

1414 (3) Whether data matching or other means tested programs can be used to identify
1415 families receiving child-care subsidies and connect them to WIC if they are eligible for WIC
1416 benefits and are not receiving them.

1417 (d) Within 120 days of the effective date of this act, pursuant to the authority granted by
1418 section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21,
1419 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)(11)), OSSE shall issue rules to
1420 implement this act, which, at a minimum, shall:

1421 (1) Establish nutritional standards for meals and snacks served at child
1422 development facilities;

1423 (2) Establish physical activity standards for child development facilities;

1424 (3) Improve the environmental sustainability of child development facilities;

1425 (4) Increase the use of locally grown and unprocessed foods from growers
1426 engaged in sustainable agriculture practices;

1427 (5) Enhance nutrition and healthy eating education programming for infants,
1428 toddlers, and preschoolers at child development facilities, including farm-to-preschool programs;
1429 and

1430 (6) Ensure that child development facilities provide sufficient training to staff on
1431 improving nutrition and increasing the level of physical activity of participating infants, toddlers,
1432 and preschoolers.

1433 Sec. 4075. Department of Parks and Recreation.

1434 The Department of Parks and Recreation shall, to the extent feasible, partner with child
1435 development facilities to allow the facilities to use District recreation centers, fields,
1436 playgrounds, and other facilities on occasions that do not conflict with the Department of Parks
1437 and Recreation's existing programming or with on-going community obligations.

1438 Sec. 4076. Conforming amendment.

1439 Section 3 of the State Education Office Establishment Act of 2000, effective October 21,
1440 2000 (D.C. Law 13-176; D.C Official Code § 38-2602(b)), is amended as follows:

1441 (a) Paragraph (18) is amended by striking the word "and" at the end.

1442 (b) Paragraph (19)(C)(xi) is amended by striking the period and inserting a semicolon in
1443 its place.

1444 (c) New paragraphs (20) and (21) are added to read as follows:

1445 "(20) Administer the Healthy Schools Fund and fulfill its other responsibilities
1446 under the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official
1447 Code § 38-821.01 et seq.); and

1448 "(21) Administer the Healthy Tots Fund and fulfill its other responsibilities under
1449 the Healthy Tots Act of 2014."

1450 **SUBTITLE I. CHARTER SCHOOL FACILITIES ALLOTMENT**

1451 Sec. 4081. Short title.

1452 This subtitle may be cited as the "Charter School Facilities Allotment Amendment Act of
1453 2014".

1454 Sec. 4082. Section 109 of the Uniform Per Student Funding Formula for Public Schools
1455 and Public Charter Schools Act of 1998, March 26, 1999 (D.C. Law 12-207; D.C. Official Code
1456 § 38-2908), is amended by adding a new subsection (b-2) to read as follows:

1457 "(b-2)(1) For fiscal years 2015 and 2016, the per pupil facility allowance for Public
1458 Charter Schools shall be \$3072.

1459 "(2) For fiscal year 2017 and succeeding fiscal years, the per pupil facility
1460 allowance for Public Charter Schools shall be \$3100.

1461 "(3) The facility allowance set forth in paragraph (1) of this subsection shall be
1462 multiplied by the number of students estimated to attend each Public Charter School to determine
1463 the actual facility allowance payments to be received by each Public Charter School.

1464 **SUBTITLE J. PCSB DONATIONS**

1465 Sec. 4091. Short Title.

1466 This subtitle may be cited as the "Public Charter School Board Donation Amendment Act
1467 of 2014".

1468 Sec. 4092. Section 4602(d) of the Acceptance and use of gifts by District Entities Act of
1469 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 1-329.01), is amended
1470 to read as follows:

1471 "(d) This section shall not apply to the Public Charter School Board, which may accept
1472 and use gifts to the Public Charter School Board without prior approval by the Mayor."

1473 **SUBTITLE K. DME GRANTMAKING AUTHORITY**

1474 Sec. 4101. Short title.

1475 This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making
1476 Authority Act of 2014".

1477 Sec. 4102. Deputy Mayor for Education limited grant-making authority.

1478 For fiscal year 2015, the Deputy Mayor for Education shall have grant-making authority
1479 solely to provide:

1480 (1) An operational grant of \$2 million for the development of a language
1481 immersion public charter school campus serving middle- and high-school students; and

1482 (2) An operational grant of \$2 million to support the project development and
1483 management of an athletic and community meeting space on the grounds of a public charter
1484 school that provides a classical education to students in grades 5 through 12.

1485 Sec. 4103. Grants issued pursuant to this subtitle shall be administered pursuant to the
1486 requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
1487 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

1488 **TITLE V. HEALTH AND HUMAN SERVICES**

1489 **SUBTITLE A. DEVELOPMENTAL DISABILITY SERVICE MANAGEMENT**
1490 **REFORM**

1491 Sec. 5001. Short title.

1492 This subtitle may be cited as the "Department on Disability Services Amendment Act of
1493 2014".

1494 Sec. 5002. The Department on Developmental Disabilities Establishment Act of 2006,
1495 effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended
1496 as follows:

1497 (a) Section 102 (D.C. Official Code § 7-761.02) is amended as follows:

1498 (1) A new paragraph (3A) is added to read as follows:

1499 "(3A) "DHCF" means the Department of Health Care Finance as established in
1500 the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008
1501 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*)".

1502 (2) Paragraph (8) is repealed.

1503 (3) Paragraph (9) is amended by striking the phrase "Medical Assistance
1504 Administration" and inserting the acronym "DHCF" in its place.

1505 (b) Section 105(4) (D.C. Official Code § 7-761.05(4)) is amended by striking the
1506 acronym "MAA" and inserting the acronym "DHCF" in its place.

1507 (c) Section 106(c) (D.C. Official Code § 7-761.06(c)) is amended by striking the phrase
1508 "action," and inserting the phrase "action, including issuing grants and stipends," in its place.

1509 (d) Section 107 (D.C. Official Code § 7-761.07) is amended as follows:

1510 (1) Subsection (a) is amended to read as follows:

1511 "(a) The Department and DHCF shall enter into an agreement for the Department to
1512 direct: policy development and design of services, rate-setting, and support provided under the
1513 Home and Community-Based Services Waiver for Individuals with Intellectual and
1514 Developmental Disabilities or any other waiver targeted for people with intellectual and
1515 developmental disabilities and their families that is approved under section 1915(c) of the Social
1516 Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1369n); and policies,
1517 services, and supports related to the operation of intermediate care facilities for individuals with
1518 intellectual disabilities."

1519 (2) Subsection (b) is amended by striking the phrase "Medical Assistance
1520 Administration" and inserting the acronym "DHCF" in its place.

1521 (g) A new section 112 is added to read as follows:

1522 "Sec. 112. Family support council.

1523 "(a) The Director shall establish a Family Support Council to, within available
1524 appropriations, assist the Department and other agencies to develop systems of support for
1525 families throughout the lifespan of their family members with intellectual and developmental
1526 disabilities.

1527 "(b) The Family Support Council shall be composed of 11 members, of whom the
1528 majority shall be people with developmental disabilities and their family members.

1529 "(c) No later than one year following the effective date of the Department on Disability
1530 Services Amendment Act of 2014, introduced on April 3, 2014 (D.C. Bill 20-750), the
1531 Department shall publish operating procedures for the Family Support Council, and the Director
1532 shall appoint the initial Family Support Council members."

1533 **SUBTITLE B. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION**
1534 **AMENDMENTS**

1535 Sec. 5011. Short title.

1536 This subtitle may be cited as the "Department of Health Functions Clarification
1537 Amendment Act of 2014".

1538 Sec. 5012. The Department of Health Functions Clarification Act of 2001, effective
1539 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731 et seq.), is amended as follows:

1540 (a) Sect. 4907a (D.C. Official Code § 7-736.01) is amended by adding new subsections
1541 (e), (f), and (g) to read as follows:

1542 "(e)(1) Through fiscal year 2015, the Director of the Department of Health shall have the
1543 authority to issue grants totaling \$1,550,000 to District of Columbia HIV prevention programs
1544 for a combination of HIV prevention interventions. These interventions shall include HIV
1545 screening in clinical and non-clinical settings and effective behavioral programs.

1546 "(2) Through fiscal year 2015, the Director of the Department of Health shall
1547 have the authority to issue HIV prevention grants for a combination of HIV prevention
1548 interventions that include:

- 1549 "(A) HIV screening;
- 1550 "(B) Harm reduction;
- 1551 "(C) Social network HIV screening;
- 1552 "(D) Partner services;
- 1553 "(E) Faith-based initiatives;
- 1554 "(F) Youth peer education; and
- 1555 "(G) Other health-education services for adolescents and older adults.

1556 "(3) For the purposes of this subsection, the term "Faith-based initiative" means a
1557 program to encourage and support places of worship in delivering HIV prevention messages that
1558 promote safe-sex practices, educate people about HIV, and promote HIV screening.

1559 “(4) In fiscal year 2015, the Director of the Department of Health shall issue a
1560 competitive grant totaling \$480,000 to a qualified community-based nonprofit corporation or
1561 organization for the creation of a comprehensive concussion care protocol for children.

1562 "(f) For fiscal year 2015, the Director of the Department of Health shall have the
1563 authority to issue grants to qualified community organizations to provide:

- 1564 "(1) Clinical nutritional home delivery services for individuals living with cancer
1565 and other life-threatening diseases;
- 1566 "(2) Ambulatory health services;
- 1567 "(3) Poison control hotline and prevention education services;
- 1568 "(4) Operations and primary care services for school-based health clinics; and
- 1569 "(5) A teen pregnancy prevention program, provided that \$2 million shall be
1570 available for the teen-pregnancy program."

1571 "(g)(1) All grants issued pursuant to subsections (e) and (f) of this section shall be
1572 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,
1573 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

1574 "(2) The Department of Health shall submit a quarterly report to the Secretary to
1575 the Council on all grants issued pursuant to the authority granted in subsections (e) and (f) of this
1576 section."

1577 (b) New sections 4907b and 4907c are added to read as follows:

1578 "Sec. 4907b. Communicable and chronic disease prevention and treatment fund.

1579 "(a) There is established, as a special fund the Communicable and Chronic Disease
1580 Prevention and Treatment Fund ("Fund"), to be administered by the Department of Health in
1581 accordance with subsection (c) of this section.

1582 "(b) The fund shall consist of revenue from the following sources related to the
1583 prevention and treatment of communicable and chronic diseases by the Department of Health:

1584 "(1) Third-party payors;

1585 "(2) Sliding fee scale collections; and

1586 "(3) Other collections.

1587 "(c) The fund shall be used for operations necessary to provide communicable and
1588 chronic disease prevention and treatment services.

1589 "(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
1590 unrestricted fund balance of the General Fund at the end of a fiscal year, or at any other time.

1591 (2) Subject to authorization in an approved budget and financial plan, any funds
1592 appropriated in the Fund shall be continually available without regard to fiscal year limitation."

1593 "Sec. 4907c. Communicable disease fees.

1594 "(a) The Director of the Department of Health may establish a schedule of fees for the
1595 prevention and treatment of communicable diseases, including HIV/AIDS, hepatitis, sexually
1596 transmitted diseases, and tuberculosis to be provided to any individual who presents for
1597 prevention or treatment services, regardless of health insurance coverage or ability to pay. The

1598 Director may periodically revise the schedule of fees and may establish a sliding fee scale, based
1599 on income, for uninsured individuals. The fees, including any sliding fee scale, shall be
1600 published in the District of Columbia Register.

1601 "(b) The Director may seek reimbursement from any third-party payor for services
1602 provided relating to the prevention and treatment of communicable diseases."

1603 **SUBTITLE C. MEDICAL ASSISTANCE PROGRAM AMENDMENTS**

1604 Sec. 5021. Short title.

1605 This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2014".

1606 Sec. 5022. Section 1 of An Act to enable the District of Columbia to receive Federal
1607 financial assistance under title XIX of the Social Security Act for a medical assistance program,
1608 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-
1609 307.02), is amended as follows:

1610 (a) Subsection (a) is amended by adding a new paragraph (8) to read as follows:

1611 "(8) Review and approval by the Council of the Fiscal Year 2015 Budget and Financial
1612 Plan shall constitute the Council review and approval required by paragraph (2) of this
1613 subsection of any amendment, modification or waiver of the state plan required to:

1614 "(A) Implement needed amendments to the Elderly and Individuals with Physical
1615 Disabilities (EPD) waiver to ensure compliance with federal law and promote best practices.

1616 "(B) Establish new payment rates for Federally-Qualified Health Centers.

1617 "(C) Establish a new payment method and make other improvements to the
1618 payment methodology for hospital inpatient treatment.

1619 "(D) Establish a new payment method and make other improvements to the
1620 payment methodology for hospital outpatient services.

1621 "(E) Implement needed amendments to the Intellectual
1622 Disabilities/Developmental Disabilities ("IDDD") waiver to ensure compliance with federal law
1623 and promote best practices.

1624 "(F) Align specialty hospital payments with the complexity of their patient mixes
1625 and national best practices and to describe payment standards for sub-acute services for children
1626 who are inpatients in private psychiatric specialty hospitals.

1627 "(G) Update transplantation coverage standards and provide coverage for lung
1628 transplantation and autologous bone marrow transplantation."

1629 (b) A new subsection (e) is added to read as follows:

1630 "(e)(1) The District state plan required under Title XIX of the Social Security Act,
1631 approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.), may provide for reimbursement
1632 of chiropractic services."

1633 "(2) The Mayor may develop and implement a reimbursement methodology for
1634 chiropractic services."

1635 **SUBTITLE D. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT**

1636 **AMENDMENT**

1637 Sec. 5031. Short title.

1638 This subtitle may be cited as the "Department of Behavioral Health Establishment
1639 Amendment Act of 2014".

1640 Sec. 5032. Section 5118 of the Department of Behavioral Health Establishment Act of
1641 2013, effective December 24, 2013 (D.C. Law 20-61, D.C. Official Code § 7-1141.07), is
1642 amended as follows:

1643 (a) Redesignate the existing lead in language as subsection (a).

1644 (b) Add a new subsection (b) to read as follows:

1645 "(b) The following powers, duties, functions, and responsibilities are hereby transferred
1646 to the Department of Health, effective October 1, 2015:

1647 "(1) All property, Career and Excepted Service, Management Supervisory
1648 Service, and trainee positions, personnel, assets, records, obligations, unexpended balances of
1649 appropriations, allocations, and other funds available or to be made available to the Tobacco
1650 Control Program.

1651 "(2) The Mayor shall coordinate, as necessary, the transfer from the Department
1652 to the Department of Health of any property, positions, personnel, assets, records, obligations,
1653 unexpended balances of appropriations, allocations, and other funds required for the
1654 management and operation of the Tobacco Control Program."

1655 **SUBTITLE E. DBH ENTERPRISE FUND ESTABLISHMENT**

1656 Sec. 5041. Short title.

1657 This subtitle may be cited as the "Department of Behavioral Health Enterprise Fund Act
1658 of 2014".

1659 Sec. 5042. (a) There is established as a special fund the "Department of Behavioral
1660 Health Enterprise Fund" ("Fund") which shall be administered by the Department of Behavioral
1661 Health ("Department") in accordance with subsection (c) of this section.

1662 (b) The fund shall consist of revenue from the following fees, proceeds and revenues
1663 collected from the following activities and operations:

1664 (1) Proceeds from the cafeteria managed and operated by the Department on the
1665 St. Elizabeths Hospital Campus;

1666 (2) Fees charged for trainings and Continuing Education Units by the
1667 Department's Organizational Development- DMH Training Institute;

1668 (3) Recoupment and collection of housing bridge subsidy payments from
1669 individual consumers, representative payees, and landlords by the Department's Adult Services
1670 Supported Housing program.

1671 (c) The fund shall be used for the management and operation of the food cafeteria, DMH
1672 Training Institute, and Supported Housing programs managed and operated by the Department.

1673 **SUBTITLE F. LIHEAP HEAT AND EAT ELIGIBILITY PRESERVATION**

1674 Sec. 5051. Short title.

1675 This subtitle may be cited as the "LIHEAP Heat and Eat Eligibility Preservation
1676 Amendment Act of 2014".

1677 Sec. 5052. Section 5083(c) of the Food Stamp Expansion Act of 2009, effective March 3,
1678 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(c)), is amended by striking the phrase
1679 "\$1" and inserting the phrase "\$20.01" in its place.

1680 **SUBTITLE G. HEALTH SERVICES PLANNING AND DEVELOPMENT**

1681 Sec. 5061. Short title.

1682 This subtitle may be cited as the "Health Services Planning and Development
1683 Amendment Act of 2014".

1684 Sec. 5062. Section 2(12) of the Health Services Planning Program Re-establishment Act
1685 of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401), is amended as
1686 follows:

1687 "(12) "Health service" means any medical or clinical related service, including
1688 services that are diagnostic, curative or rehabilitative, as well as those related to inpatient mental
1689 health services, home health care, hospice care, medically supervised day care, and renal
1690 dialysis. "Health service" shall not include those outpatient behavioral health services subject to
1691 the exclusive regulatory authority of the Department of Behavioral Health and services provided
1692 by physicians, dentists, HMOs, and other individual providers in individual or group practice.'.

1693 **SUBTITLE H. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES COST OF**
1694 **LIVING ADJUSTMENT**

1695 Sec. 5071. Short title.

1696 This subtitle may be cited as the "Temporary Assistance for Needy Families Cost of
1697 Living Adjustment Amendment Act of 2014".

1698 Sec. 5072. The District of Columbia Public Assistance Act of 1982, effective April 6,
1699 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01, et seq.) is amended as follows:

1700 (a) Section 511b (D.C. Official Code § 4-205.11b) is amended by striking the phrase "in
1701 the District".

1702 (b) Section 552 (D.C. Official Code § 4-205.52) is amended by adding a new section (d-
1703 1) to read as follows:

1704 "(d-1)(1) Effective October 1, 2015, the payment levels issued pursuant to section (c) of
1705 this subsection shall be adjusted annually for the rate of inflation, except for fiscal year 2017, for
1706 which the payment level shall be increased by 46%.

1707 "(2) To adjust for the rate of inflation each year, the payment levels from the
1708 immediately preceding year shall be multiplied by the CPI percentage increase from the
1709 preceding calendar year, as determined by the United States Department of Labor Bureau of
1710 Labor Statistics in the Consumer Price Index for Urban Consumers (CPI-U) for all items."

1711 (c) Section 572a(b) (D.C. Official Code § 4-205.72a(b)) is amended to read as follows:

1712 "(b) An assistance unit's eligibility for POWER pursuant to subsection (a) of this section
1713 shall be subject to periodic review and redetermination as determined by the Mayor or the
1714 Mayor's designee."

1715 (d) Section 575 (D.C. Official Code § 4-205.75) is amended by adding a new section (c)
1716 to read as follows:

1717 "(c) A POWER recipient who is determined eligible for continuation of one year due to
1718 incapacity under section 572(b)(2) shall be informed by the Mayor or the Mayor's designee about
1719 the recipient's potential eligibility for Social Security Disability Insurance (SSDI) or
1720 Supplemental Security Income (SSI). If appropriate, the POWER recipient shall submit an
1721 application for Social Security Disability Insurance (SSDI) or Supplemental Security Income
1722 (SSI) benefits as part of the recipient's self-sufficiency plan. The Mayor or the Mayor's designee
1723 shall offer application and advocacy assistance."

1724 **SUBTITLE I. INSURANCE REGULATORY TRUST FUND**

1725 Sec. 5081. Short title.

1726 This subtitle may be cited as the "Insurance Regulatory Trust Fund Bureau Amendment
1727 Act of 2014".

1728 Sec. 5082. The Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993
1729 (D.C. Law 10-40; D.C. Official Code § 31-1201 et seq.), is amended as follows:

1730 (a) Section 4(b) (D.C. Official Code § 31-1203(b)) is amended by adding the sentence
1731 "The assessment shall be a tax and licensing and regulatory fee for purposes of 45 CFR §§
1732 158.221(c) and 158.161(b)." at the end.

1733 (a) Section 9 (D.C. Official Code § 31-1208) is amended as follows:

1734 (1) Redesignate the existing text as subsection (a) and amend it to read as follows:

1735 "(a) All insurers and health maintenance organizations subject to assessments in
1736 accordance with this chapter shall be member of an Insurance Regulatory Trust Bureau,
1737 organized and maintained by such insurers and health maintenance organizations at their own
1738 expense, for the purpose of advising the Commissioner of the Department of Insurance,
1739 securities, and Banking and the Executive Director of the Health Benefit Exchange Authority as
1740 to the need for the proposed assessments, including the assessment of health carriers in section
1741 4(f) of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2,
1742 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.03(f)), the fairness of the proposed
1743 assessments, and any other matters with respect to the administration of the Insurance Regulatory
1744 Trust Fund. The Commissioner and the Executive Director of the Health Benefit Exchange
1745 Authority shall submit to the Insurance Regulatory Trust Fund Bureau annually, in advance of
1746 the Mayor's budget submission to the Council, a detailed budget showing how the proposed
1747 assessments are to be expended."

1748 (2) Add a new subsection (b) to read as follows:

1749 "(b) The board of directors of the Insurance Regulatory Trust Bureau shall consist of no
1750 fewer than 15 members and shall include at least a majority of the health carriers issuing
1751 qualified health plans and some representation from health carriers issuing qualified dental plans
1752 as defined in section 2 of the Health Benefit Exchange Authority Establishment Act of 2011,
1753 effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.01)."

1754 (b) Section 9 (D.C. Official Code § 31-1209) is amended to read as follows:

1755 "(b) Upon a vote of the Regulatory Trust Fund Bureau taken in accordance with its
1756 bylaws, the Insurance Regulatory Trust Fund Bureau, at its own expense, may annually arrange

1757 for an independent audit of the expenditures made in any fiscal year by the Insurance Regulatory
1758 Trust Fund or the District of Columbia Health Benefit Exchange Authority Fund established in
1759 section 4 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March
1760 2, 2012 (D.C. Law 19-94; D.C. Official Code 31-3171.03(a)). The Commissioner, the
1761 Department of Insurance, Securities, and Banking, the Executive Director of the Health Benefit
1762 Exchange Authority, and all other elements of the Government of the District of Columbia shall
1763 cooperate with such an audit and shall make available all documents and records reasonably
1764 necessary to the conduct of the audit."

1765 Section 5083. Section 4(e) of the Health Benefit Exchange Authority Establishment Act
1766 of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.03(e)) is
1767 amended by adding a new subparagraph (3) to read as follows:

1768 "(3) The assessment on health carriers pursuant to section 4(f) shall be a tax and
1769 licensing and regulatory fee for purposes of 45 CFR §§ 158.221(c) and 158.161(b)."

1770 **SUBTITLE J. ACCESSRX**

1771 Sec. 5091. This act shall be called the "AccessRx Amendment Act of 2014".

1772 Sec. 5092. Section 303 of the AccessRx Act of 2004, effective May 18, 2004 (D.C. Law
1773 15-164; D.C. Official Code § 48-833.03), is amended by adding a new subsection (c) to read as
1774 follows:

1775 "(c) Any manufacturer or labeler of prescription drugs that is required to submit reports
1776 under this section shall not be required to report any information to the Department that is also
1777 required under section 6002 of the Patient Protection and Affordable Care Act of 2010, approved
1778 March 23, 2010 (Pub. L. 111-148; 124 Stat. 119)."

1779 **SUBTITLE K. POWER EXPANSION**

1780 Sec 5101. Short title.

1781 This subtitle may be cited as the "POWER Expansion Amendment Act of 2014".

1782 Sec 5102. Section 572(b) of the District of Columbia Public Assistance Act of 1982,
1783 effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.72(b)), is amended by
1784 adding a new paragraph (1A) to read as follows:

1785 “(1A) The head of the assistance unit is a single custodial parent or caretaker with
1786 a child under 6 months old; provided, that no parent or caretaker may remain eligible under this
1787 paragraph for more than 12 months.”.

1788 **SUBTITLE L. END YOUTH HOMELESSNESS**

1789 Sec. 5111. Short title.

1790 This subtitle may be cited as the “End Youth Homelessness Amendment Act of 2014”.

1791 Sec. 5112. The Homeless Services Reform Act of 2005, effective October 22, 2005
1792 (D.C. Law 16-35; D.C. Official Code § 4-751.01 et seq.), is amended as follows:

1793 (a) Section 5(b)(9) (D.C. Official Code § 4-752.02(b)(9)) is amended to read as follows:

1794 “(9)(A) By September 1 of each year, develop a plan, consistent with the right of
1795 clients to shelter in severe weather conditions, describing how member agencies will coordinate
1796 to provide hypothermia shelter and identifying the specific sites that will be used as hypothermia
1797 shelters; and

1798 “(B) The plan shall include protocols on how to provide shelter services
1799 for unaccompanied minors.”.

1800 (b) Section 7 (D.C. Official Code § 4-753.01) is amended by adding new subsections (h)
1801 and (i) to read as follows:

1802 “(h) No later than 300 days after the effective date of the End Youth Homelessness
1803 Amendment Act of 2014, the Department of Human Services shall establish a program of street
1804 outreach to youth which shall be competitively granted.

1805 “(i) No later than 180 days after the effective date of the End Youth Homelessness
1806 Amendment Act of 2014, and annually thereafter, the Department of Human Services , in
1807 coordination with the Interagency Council, shall conduct a youth census, separate from the

1808 annual Point-in-Time survey, to determine the needed scale and scope of a comprehensive
1809 program to end youth homelessness in the District. The youth census shall:

1810 “(1) Count all children and youth under 18 years of age who are living apart from
1811 a parent or guardian, excluding those who are in the physical custody of the District, and all
1812 youth between the ages of 18 and 24 who are economically or emotionally detached from their
1813 families and lack an adequate or fixed residence, including children and youth who are unstably
1814 housed, living in doubled up circumstances, in transitional housing, in shelter, or on the street;

1815 “(2) For each child or youth counted, record basic demographic information
1816 including age, race, and gender identification, the location where the child or youth stayed the
1817 night before the count, the child or youth’s education and employment status, and membership in
1818 pertinent subgroups based on sexual orientation, gender orientation, pregnancy or parenting
1819 status, or involvement in the foster care or juvenile or adult criminal justice systems;

1820 “(3) Identify patterns in responses describing factors leading to homelessness;

1821 “(4) Identify patterns in responses describing services used and gaps in service;

1822 “(5) Be conducted over a period of at least one week, controlling for duplication
1823 by assigning each child or youth a unique identifier; and

1824 “(6) Include multiple strategies and entry points to identify homeless children and
1825 youth.”.

1826 (c) Section 8(c) (D.C. Official Code § 4-753.02(c)) is amended by adding a new
1827 paragraph (1C) to read as follows:

1828 “(1C)(A) No later than 180 days after the effective date of the End Youth
1829 Homelessness Amendment Act of 2014, the Mayor shall issue a grant to a community-based
1830 organization to establish one or more intake and drop-in center for youth, including minors and
1831 youth-headed families, for the purposes of:

1832 “(i) Assessing the eligibility of youth for services within the
1833 Continuum of Care and making referrals, including to the Child and Family Services Agency as

1834 appropriate; provided, that homelessness alone is not a valid reason for an allegation of abuse or
1835 neglect;

1836 “(ii) Coordinating as necessary with the intake centers for families
1837 operated pursuant to paragraph (1) of this subsection;

1838 “(iii) Contacting the parent or guardian of an unaccompanied
1839 minor within 72 hours of the minor’s request for services within the Continuum of Care; and

1840 “(iv) Tracking outcomes, utilization rates, and turn-aways of youth
1841 across service providers.

1842 “(B) Grants issued pursuant to this section shall be administered pursuant
1843 to the requirements set forth in the Grant Administration Act of 2013, effective December 24,
1844 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).”.

1845 (d) Section 28 (D.C. Official Code § 4-755.01) is amended by adding a new subsection
1846 (d) to read as follows:

1847 “(d)(1)Notwithstanding subsections (a) and (b) of this section, the Mayor shall fund a
1848 minimum of 5 additional shelter beds for homeless youth up to age 24 and additional transitional
1849 housing capacity for 10 youth ages 18-24.

1850 “(2) Homeless services for youth shall be provided through 2-year grants to
1851 eligible community organizations based in the District with expertise in systems of care for
1852 homeless youth.

1853 “(3) Recipients of grants shall establish, maintain, or expand facilities through
1854 these grants that protect the safety of homeless youth through facilities that are specifically for
1855 homeless youth and separate from any existing homeless services for the general population.

1856 “(4) Grants issued pursuant to this subsection shall be administered pursuant to
1857 the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
1858 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).”.

1859 **SUBTITLE M. HOMELESS PREVENTION PROGRAM ESTABLISHMENT**

1860 Sec. 5121. Short title.

1861 This subtitle may be cited as the “Homeless Prevention Program Establishment Act of
1862 2014”.

1863 Sec. 5122. Homeless Prevention Program establishment.

1864 (a) There is established within the Department of Human Services (“Department”) a
1865 Homeless Prevention Program (“Program”) to conduct community outreach and provide services
1866 to individuals and families at risk of becoming homeless.

1867 (b) The Department may contract with a qualified community-based nonprofit
1868 corporation, organization, or consortia of organizations, with offices located in the District, to
1869 operate the Program. The Department shall establish the criteria that an entity must meet to be
1870 selected to operate the Program. If the Department is unable to contract with an outside entity
1871 that meets the specified criteria, or determines it to not be in the best interest of the District, the
1872 Department shall operate the Program.

1873 (c) The Program shall be co-administered by the Executive Director of the Interagency
1874 Council on Homelessness.

1875 (d) The Program shall:

1876 (1) Connect individuals and families at risk of becoming homeless with housing
1877 and financial assistance programs that provide short- and long-term assistance to allow
1878 households to remain in their current housing situation, if appropriate;

1879 (2) Have multiple locations in communities identified as being at-risk of
1880 homelessness;

1881 (3) Conduct educational campaigns and outreach to inform District residents
1882 about the services available to prevent homelessness;

1883 (4) Conduct family or tenant-landlord mediation to assist individuals in remaining
1884 in their current housing situation, if appropriate;

1885 (5) Provide classes in skills critical to maintaining housing, including household
1886 budgeting, financial management, and financial literacy;

1887 (6) Provide job training and placement services, including connecting individuals
1888 with resources available at District agencies;

1889 (7) Assist individuals in applying for public benefits, including child care, SNAP,
1890 tax credits, and Medicaid; and

1891 (8) Provide other counseling, case management, or services, including mental or
1892 behavioral health services or referrals to mental or behavioral health programs, to assist
1893 individuals and families in preventing homelessness.

1894 (e) No later than January 1, 2016, and annually thereafter, the Program shall submit a
1895 report to the Council on the operations and services of the Program during the preceding fiscal
1896 year.

1897 Sec. 5123. Conforming amendment.

1898 Section 5 of the Homeless Services Reform Act of 2005, effective October 22, 2005
1899 (D.C. Law 16-35; D.C. Official Code § 4-7521.02), is amended by adding a new subsection (e)
1900 to read as follows:

1901 “(e) The Interagency Council, in coordination with the Department of Human Services,
1902 shall co-administer the Homeless Prevention Program established pursuant to the Homeless
1903 Prevention Program Establishment Act of 2014, as approved by the Committee of the Whole on
1904 May 28, 2013 (Committee print of Bill 20-750).”.

1905 **SUBTITLE N. TOBACCO PRODUCT MANUFACTURER RESERVE FUND**

1906 Sec. 5131. Short title.

1907 This subtitle may be cited as the “Tobacco Product Manufacturer Reserve Fund
1908 Amendment Act of 2014”.

1909 Sec. 5132. Section 6(b) of the Tobacco Product Manufacturer Reserve Fund
1910 Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C.
1911 Official Code § 7-1803.05(b)), is amended as follows:

1912 (a) Strike the phrase “Corporation Counsel” wherever it appears and insert the phrase
1913 “Attorney General” in its place.

1914 (b) A new sentence is added at the end to read as follows:

1915 “The Attorney General may also disclose the information received under this act with the
1916 data clearinghouse created to implement the term sheet agreed to by the District and Participating
1917 Manufacturers, and given effect by a March 12, 2013, arbitral award.”.

1918 **SUBTITLE O. SOAR PILOT PROGRAM ESTABLISHMENT**

1919 Sec. 5141. Short title.

1920 This subtitle may be cited as the “SSI/SSDI Outreach, Access, and Recovery (SOAR)
1921 Pilot Program Establishment Act of 2014”.

1922 Sec.5142. SOAR Pilot Program establishment

1923 (a) There is established within the Department of Human Services (“Department”) a
1924 SSI/SSDI Outreach, Access, and Recovery, or SOAR Pilot Program (“Program”) to provide
1925 application assistance for individuals applying to receive Social Security Income (“SSI”) and
1926 Social Security Disability Insurance (“SSDI”).

1927 (b)(1) The Department may contract with, or provide a grant to, a qualified community-
1928 based nonprofit corporation, organization, or consortia of organizations, with offices located in
1929 the District, to operate the Program. The Department shall establish the criteria that an entity
1930 must meet to be selected to operate the Program. If the Department is unable to contract with an
1931 outside entity that meets the specified criteria, or determines it to not be in the best interest of the
1932 District, the Department shall operate the Program.

1933 (2) A grant issued under this subsection shall be administered pursuant to the
1934 requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
1935 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

1936 (c) The Program shall conduct outreach to homeless individuals to provide intensive
1937 assistance and support with completing an SSI or SSDI application with the federal Social
1938 Security Administration.

1939 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

1940 **SUBTITLE A. VAULT RENT**

1941 Sec. 6001. Short title.

1942 This subtitle may be cited as the "Vault Rent Amendment Act of 2014".

1943 Sec. 6002. The District of Columbia Public Space Rental Act, approved October 17, 1968

1944 (82 Stat. 1156; D.C. Official Code § 10–1101.01 et seq.) ("Public Space Act"), is amended as

1945 follows:

1946 (a) Section 103 (D.C. Official Code § 10-1101.01) is amended as follows:

1947 (1) New paragraphs (1B), (1C), and (1D) are added to read as follows:

1948 "(1B) "Chief Financial Officer" means the Chief Financial Officer of the District
1949 of Columbia.

1950 "(1C) "Condominium unit owners' association" shall have the same meaning as
1951 the unit owner's association described in section 301 of the Condominium Act of 1976, effective
1952 March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.01), or a master association as
1953 defined in subsection 19A of section 102 of the Condominium Act of 1976, effective March 29,
1954 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.02(19A)), as the context may require.

1955 "(1D) "Declarant" shall have the same meaning as set forth in section 103 of the
1956 Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official code § 42-
1957 1901.02(11)).".

1958 (2) A new paragraph (6A) is added to read as follows:

1959 "(6A) "Responsible condominium unit owners' association" means a
1960 condominium unit owners' association if vault rent was an obligation of the condominium as a
1961 whole before there was a unit owner other than the declarant, or the condominium unit owners'
1962 association or its predecessor entered into an agreement with the Mayor relating to the
1963 occupation of vault space.".

1964 (3) A new paragraph (9) is added to read as follows:

1965 "(9) "Vault rent year" means the period beginning July 1st each year and ending
1966 June 30th of each succeeding year."

1967 (b)(1) Section 303 (DC Official Code § 10-1103.02) is amended to read as follows:

1968 "(a)(1) The Chief Financial Officer shall assess and collect rent and charges from the
1969 owner or owners of abutting property for any vault located in the public space abutting such
1970 property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a
1971 manner satisfactory to the Mayor.

1972 "(2) Bills and notices shall be deemed to be properly served when mailed via first
1973 class mail to the abutting property owner's mailing address of record as maintained by the Chief
1974 Assessor of the Office of Tax and Revenue.

1975 "(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March
1976 29, 1977 (D.C. Law 1-89; D.C. Official Code §42-1901.04), or any provision of other law that
1977 imposes liability for vault rent that is contrary to this subsection, vault rent shall be assessed
1978 against a responsible condominium unit owners' association.

1979 "(2) The responsible condominium unit owners' association shall be billed for
1980 vault rent as a separate and distinct taxable entity with its own vault rent account, as designated
1981 by the Chief Financial Officer, and, unless the context requires otherwise, for purposes of this
1982 subchapter shall be deemed to be the owner of the property abutting public space in which any
1983 vault is located.

1984 "(3) A notice of proposed land assessment relating to the vault rent account shall
1985 be given to the responsible condominium unit owners' association by March 1st before the
1986 beginning of the applicable vault rent year.

1987 "(4) The assessed value of the land derived for purposes of billing the vault rent
1988 may be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that
1989 for the purposes of this section any references in that section to an owner shall be deemed to be
1990 references to a responsible condominium unit owners' association.

1991 "(5) Provided that the land values of comparable multi-family residential
1992 properties shall only be used in determining land values for vault rent purposes in residential
1993 condominiums, the Chief Financial Officer may correct or change any land assessment relating
1994 to the vault rent account for which a responsible condominium unit owners' association is
1995 responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-
1996 825.01a(f); except, that the reference to:

1997 "(A) Tax years shall be deemed to be a reference to vault rent years;

1998 "(B) Owner shall be deemed to be a reference to a responsible
1999 condominium unit owners' association; and

2000 "(C) The owner's address of record shall be deemed to be a reference to
2001 the responsible condominium unit owners' mailing address of record as maintained by the Chief
2002 Assessor of the Office of Tax and Revenue.

2003 "(c) Where vault rent is assessed against any owner other than a responsible
2004 condominium owners' association, the Mayor may adjust any utilization factor or area of the
2005 vault level under the circumstances, subject to the conditions in D.C. Official Code § 47-
2006 825.01a(f); except, that the reference to tax years shall be deemed to be a reference to vault rent
2007 years .".

2008 (c) Section 305 (D.C. Official Code § 10-1103.04) is amended as follows:

2009 (1) Subsection (a) is amended by striking the phrase "shall pay the rent
2010 established in accordance with this part for such vault. Such rent shall be payable annually for
2011 the year commencing July 1st and ending on the following June 30th, and shall be payable in full
2012 prior to the beginning of such year." and inserting the phrase "shall pay the rent established in
2013 accordance with this part for such vault and any charges levied under § 308(a). Such rent and
2014 charges shall be payable annually for the vault rent year and shall be payable in full on or before
2015 the later of 30 days after the date the vault rent bill was mailed or September 15 of the vault rent
2016 year." in its place.

2017 (2) Subsection (c) is amended by striking the second sentence.

2018 (3) A new subsection (c-1) is added to read as follows:

2019 "(c-1) Notwithstanding subsection (c) of this section, rent per fuel oil tank shall be
2020 \$100; provided, that the Council may adjust the amount of rent per fuel oil tank pursuant to
2021 section 401."

2022 (d) Section 305a (D.C. Official Code § 10-1103.04a) is amended by striking the word
2023 "Mayor" wherever it appears and inserting the phrase "Chief Financial Officer" in its place.

2024 (e) Section 308 (D.C. Official Code § 10-1103.07) is amended by adding subsections (c),
2025 (d), (e), and (f) to read as follows:

2026 "(c)(1) For vault years beginning after June 30, 2015, the Mayor, in the Mayor's
2027 discretion, may seal off, remove in whole or in part, fill, reconstruct, repair, or close a vault or
2028 vault opening, or perform any other service in connection with a vault or vault opening that the
2029 Mayor considers necessary or appropriate.

2030 "(2) The Chief Financial Officer shall levy a charge against the abutting property
2031 for the reasonable cost of action by the Mayor.

2032 "(d)(1) For periods beginning after June 30, 2015, interest on unpaid vault rent and the
2033 charges authorized under subsection (a) of this section shall accrue at the rate set forth in D.C.
2034 Official § 47-811(c) per month or part thereof after the due date prescribed in section 305.

2035 "(2) Except as provided in subsection (f) of this section, the abutting property for
2036 any vault located in the public space shall be sold by the Chief Financial Officer at a tax sale
2037 held under Chapter 13A of Title 47 of the District of Columbia Official Code for vault rent,
2038 charges, and interest that are delinquent as of the October 1st before the tax sale.

2039 "(3) Notwithstanding any other provision of law, delinquent vault rent, charges,
2040 and interest shall not be required to be certified for purposes of the tax sale and the lien priority
2041 of vault rents, charges, and interest shall be immediately junior to real property taxes.

2042 "(e) Payments shall be applied to the oldest vault year owed, and within such year first to
2043 interest, then to charges, and then to rent.

2044 "(f)(1) When a responsible condominium unit owners' association is billed for vault rent,
2045 charges, and interest and the rent, charges, and interest are not timely paid, the rent, charges, and
2046 interest shall constitute a delinquent tax to be collected against the responsible condominium unit
2047 owners' association in accordance with Chapter 44 of Title 47 of the District of Columbia
2048 Official Code, notwithstanding section 104 of the Condominium Act of 1976, effective March
2049 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision to the
2050 contrary. Liability shall follow to any subsequent or successor responsible condominium unit
2051 owners' association or the resulting owners of any termination of the condominium, as the case
2052 may be, notwithstanding any other law to the contrary."

2053 (f) A new subsection 308a (to be codified at D.C. Official Code § 10-1103.07a) is added
2054 to read as follows:

2055 "Sec. 308a. Waiver and compromise; authority of the Chief Financial Officer.

2056 "The Chief Financial Officer, may:

2057 "(1) Waive, in whole or in part, interest assessed pursuant to the Public Space
2058 Rental Act in the interest of equity or in the public interest; or

2059 "(2) Compromise any charge or vault rent assessed pursuant to the
2060 Public Space Rental Act when, in the Chief Financial Officer's judgment, there is reasonable
2061 doubt as to the liability of the owner against whom the vault rent was assessed or the
2062 collectability of the tax."

2063 (g) A new section 311 (to be codified at D.C. Official Code § 10-1103.10) is added to
2064 read as follows:

2065 "Sec. 311. Regulations; authority of the Chief Financial Officer.

2066 The Chief Financial Officer, pursuant to the District of Columbia Administrative
2067 Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Code § 2-501 et seq.), is
2068 authorized to issue regulations to carry out the purposes of this title."

2069 Sec. 6003. Applicability.

2070 (a) Section 6002 (a) through (e) shall apply as of July 1, 2015.

2071 (b) Section 6002(f) and (g) shall apply upon the effective date of this subtitle.

2072 **SUBTITLE B. CAPITAL BIKESHARE CORPORATE SPONSORSHIP**

2073 **ESTABLISHMENT**

2074 Sec. 6021. Short title

2075 This subtitle may be cited as the "Private Sponsorship of Capital Bikeshare Amendment
2076 Act of 2014".

2077 Sec. 6022. Section 5(a) of the Department of Transportation Establishment Act of 2002,
2078 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)), is amended as
2079 follows:

2080 (a) Paragraph (4)(G)(iv) is amended by striking the period and inserting the phrase "
2081 provided, that proceeds related to advertisements on bicycles, equipment, or facilities used for
2082 the purposes of the Bicycle Sharing program shall be deposited into the Bicycle Sharing Fund
2083 established by section 9h." in its place.

2084 (b) A new Paragraph (4A) is added to read as follows:

2085 "(4A) Rights-of-Way Management Administration may enter into agreements to
2086 allow the private sponsorship of bicycles, equipment, and facilities used in the Bicycle Sharing
2087 program, the placement of a corporate logo, slogan, or other indicia on the bicycles or facilities,
2088 and on related websites and social media; provided, that an agreement valued at over \$50,000
2089 shall be submitted to the Council for a 30-day period of passive review. All proceeds collected
2090 from a private sponsorship agreement shall be deposited into the Bicycle Sharing Fund
2091 established by section 9h."

2092 **SUBTITLE C. DDOT MANAGED LANE AUTHORIZATION**

2093 Sec. 6031. Short title.

2094 This subtitle may be cited as the "District Department of Transportation Managed Lane
2095 Authorization Act of 2014".

2096 Sec. 6032. Section 5(a)(2) of the Department of Transportation Establishment Act of
2097 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(2)), is
2098 amended as follows:

2099 (a) Subparagraph (M) is amended by striking the phrase "; and" and inserting a semicolon
2100 in its place.

2101 (b) Subparagraph (N) is amended by striking the period and inserting the phrase "; and"
2102 in its place.

2103 (c) A new subparagraph (O) is added to read as follows:

2104 "(O)(i) Implement managed lane policies, including lane pricing, vehicle
2105 eligibility, and access control; provided, that at least one lane of traffic on a street with managed
2106 lanes shall be free of charge.

2107 (ii) The Department shall submit to the Council any policy created
2108 pursuant to this subparagraph for approval by resolution before implementation."

2109 **SUBTITLE D. INTEGRATED PREMIUM TRANSIT SYSTEM AMENDMENT**

2110 Sec. 6041. Short title.

2111 This subtitle may be cited as the "Integrated Premium Transit System Amendment Act of
2112 2014".

2113 Sec. 6042. The Department of Transportation Establishment Act of 2002, effective May
2114 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 et seq.), is amended as follows:

2115 (a) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

2116 (1) The lead-in language is redesignated as subsection (a).

2117 (2) Paragraph (1) is amended as follows:

2118 (A) Subparagraph (C) is amended by striking the phrase "; and" and
2119 inserting a semicolon in its place.

2120 (B) Subparagraph (D) is amended by striking the period and inserting the
2121 phrase "; and" in its place.

2122 (C) A new subparagraph (E) is added to read as follows:

2123 "(E) Plan, manage, and contract for all, or any part of, the design,
2124 engineering, construction, operation and maintenance of any element of the Integrated Premium
2125 Transit System."

2126 (3) Paragraph (2) is amended as follows:

2127 (A) Subparagraph (L) is amended by striking the phrase "Operate,
2128 develop, and finance" and inserting the phrase "Operate, maintain, and regulate" in its place.

2129 (B) Subparagraph (N) is amended by striking the phrase "Operate,
2130 develop, regulate, and finance" and inserting the phrase "Operate, maintain, and regulate" in its
2131 place.

2132 (4) A new subsection (b) is added to read as follows:

2133 "(b) For the purposes of this section, the term:

2134 "(1) "DC Streetcar" means a fixed guideway transit network offering rail
2135 passenger service operated by the District government or its agent.

2136 "(2) "Integrated Premium Transit System" means an integrated transit system
2137 composed of any or all of the DC Streetcar, bus service operated or managed by, or on behalf of,
2138 the District government consistent with the Washington Metropolitan Area Transit Regulation
2139 Compact, and facilities including buildings, other structures, and parking areas appurtenant to the
2140 DC Streetcar and bus service."

2141 (b) Section 11n (D.C. Official Code § 50-921.72) is amended as follows:

2142 (1) Paragraph (1) is amended by striking the phrase "; and" and inserting a
2143 semicolon in its place.

2144 (2) Paragraph (2) is amended by striking the period and inserting the phrase ";
2145 and" in its place.

2146 (3) A new paragraph (3) is added to read as follows:

2147 "(3) Enter into contracts with third parties for the design, construction, operation,
2148 and maintenance of the DC Streetcar."

2149 Sec. 6043. Section 47-392.02(f) of the District of Columbia Official Code is amended as
2150 follows:

2151 (a) Subsection (f) is amended as follows:

2152 (1) Paragraph (5)(A) is amended by striking the phrase "Beginning in the fiscal
2153 year following the completion of the capital construction of the Streetcar Project," and inserting
2154 the phrase "Beginning in Fiscal Year 2045," in its place.

2155 (2) Paragraph (6) is amended to read as follows:

2156 "(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the
2157 Integrated Premium Transit System until Fiscal Year 2045."

2158 (b) A new subsection (l) is added to read as follows:

2159 "(l) For the purposes of this section, the term:

2160 "(A) "DC Streetcar" shall have the meaning set forth in section 5(b) of the
2161 Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-
2162 137; D.C. Official Code § 50-921.04(b)).

2163 "(B) "Integrated Premium Transit System" shall have the meaning set forth in
2164 section 5(b) of the Department of Transportation Establishment Act of 2002, effective May 21,
2165 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(b))."

2166 Sec. 6044. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.
2167 Law 18-371; D.C. Official Code § 2-351.01 et seq.), is amended as follows:

2168 (a) Section 104 (D.C. Official Code § 2-351.04) is amended as follows:

2169 (1) A new paragraph (2A) is added to read as follows:

2170 "(2A) "Alternative technical concept" means a proposed change to an agency-
2171 supplied base design configuration, project scope, design criterion, or construction criterion that
2172 the agency determines is equal to or better than a requirement in a request for proposals."

2173 (2) Paragraph (13) is amended to read as follows:

2174 "(13) "Construction" means the process of building, altering, repairing,
2175 improving, or demolishing any public infrastructure facility. The term "construction" does not

2176 include the routine operation, routine repair, or routine maintenance of an existing public
2177 infrastructure facility."

2178 (3) A new paragraph (37A) is added to read as follows:

2179 "(37A) "Public infrastructure facility" includes any public structure, public
2180 building, any element of the Integrated Premium Transit System, as that term is defined in
2181 section 1a (2) of the Department of Transportation Establishment Act of 2002, effective May 21,
2182 2002 (D.C. Law 14-137; to be codified), and other public improvements of any kind to real
2183 property."

2184 (b) Section 201(d) (D.C. Official Code § 2-352.01(d)) is amended by striking the phrase
2185 "roads and bridges" and inserting the phrase "roads, bridges, other transportation systems, and
2186 facilities and structures appurtenant to roads, bridges, and other transportation systems" in its
2187 place.

2188 (c) Section 403 (D.C. Official Code § 2-354.03) is amended by adding a new subsection
2189 (d-1) to read as follows:

2190 "(d-1) An RFP for the construction of a road, bridge, other transportation system, or a
2191 facility or structure appurtenant to a road, bridge, or other transportation system, may allow
2192 prospective offerors or contractors to submit alternative technical concepts as a part of their
2193 proposals. The agency's determination on the alternative technical concepts may be considered
2194 by the contracting officer as part of the evaluation and ranking of proposals."

2195 **SUBTITLE E. PESTICIDE REGISTRATION FUND AMENDMENT**

2196 Sec. 6051. Short title.

2197 This subtitle may be cited as the "Pesticide Registration Fund Amendment Act of 2014".

2198 Sec. 6052. Section 9a(c) of the Pesticide Education and Control Amendment Act of 2012,
2199 effective December 24, 2013 (D.C. Law 19-191; D.C. Official Code § 8-438.01(c)), is amended
2200 by striking the word "pesticide" and inserting the phrase "pesticide, chemical, tank, land
2201 remediation, and wildlife protection" in its place.

2202 **SUBTITLE F. DISTRIBUTED GENERATION AMENDMENT**

2203 Sec. 6061. Short title.

2204 This subtitle may be cited as the "Distributed Generation Amendment Act of 2014".

2205 Sec. 6062. Section 4(e) of the Renewable Energy Portfolio Standard Act of 2004,
2206 effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1432), is amended as
2207 follows:

2208 (a) Paragraph (1) is amended by striking the phrase "serving the District" and inserting
2209 the phrase "serving the District; provided, that renewable energy credits from solar energy
2210 systems larger than 5MW in capacity located on property owned by the District, or by any
2211 agency or independent authority of the District, may be used to meet the solar requirement" in its
2212 place.

2213 (b) Paragraph (2) is amended to read as follows:

2214 "(2) Notwithstanding paragraph (1) of this subsection, an electricity supplier may
2215 meet the remaining non-solar tier one renewable source requirement of the renewable energy
2216 portfolio standard by obtaining the equivalent amount of renewable energy credits from solar
2217 energy systems that do not satisfy the requirements under paragraph (1) of this subsection."

2218 **SUBTITLE G. CLEAN AND AFFORDABLE ENERGY AMENDMENT**

2219 Sec. 6071. Short title.

2220 This subtitle may be cited as the "Clean and Affordable Energy Amendment Act of
2221 2014".

2222 Sec. 6072. The Clean and Affordable Energy Act of 2008, effective October 22, 2008
2223 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 et seq.), is amended as follows:

2224 (a) Section 201(d)(4) (D.C. Official Code § 8-1774.01(d)(4)) is amended to read as
2225 follows:

2226 "(4) Improve the energy efficiency or increase the renewable energy generating
2227 capacity of low-income housing, shelters, clinics, or other buildings serving low-income
2228 residents in the District of Columbia;"

2229 (b) Section 202(a) (D.C. Official Code § 8-1774.02(a)) is amended by striking the phrase
2230 "5 years" and inserting the phrase "5 years. Subsequent SEU contracts shall be multi-year
2231 contracts of not less than 4 years. If options to extend the SEU contract are included in
2232 subsequent SEU contracts, the option periods shall be for not less than 2 years" in its place.

2233 (c) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

2234 (1) Subsection (a) is amended as follows:

2235 (A) Paragraph (1) is amended by striking the word "nonlapsing" and
2236 inserting the phrase "nonlapsing, no-year appropriation" in its place.

2237 (B) Paragraph (2) is amended to read as follows:

2238 "(2) The money deposited into the Fund, and any interest earned, shall not revert
2239 to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a
2240 fiscal year, or at any other time."

2241 (C) A new paragraph (3) is added to read as follows:

2242 "(3) Subject to authorization in an approved budget and financial plan, any funds
2243 appropriated in the Fund shall be continually available without regard to fiscal year limitation."

2244 (2) Subsection (c) is amended as follows:

2245 (A) Paragraph (1) is amended to read as follows:

2246 "(1) The SEU contract in an amount of at least \$20 million annually;"

2247 (B) Paragraphs (5), (6), (7), and (8) are repealed.

2248 Sec. 6073. Section 8 of the Renewable Energy Portfolio Standard Act of 2004, effective
2249 April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1436), is amended as follows:

2250 (a) Subsection (b) is amended by striking the phrase "shall receive" and inserting the
2251 phrase "may receive" in its place.

2252 (b) Subsection (c) is amended by adding the following sentence at the end: "The Fund
2253 may be used to supplement programs supporting the creation of new solar energy sources in the
2254 District of Columbia through the Sustainable Energy Utility contract established by the Clean

2255 and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official
2256 Code § 8-1773.01 et seq.)."

2257 **SUBTITLE H. ATHLETIC FIELD PERMIT COORDINATION COMMITTEE**

2258 Sec. 6091. Short title.

2259 This subtitle may be cited as the "Athletic Field Permit Coordination Committee
2260 Amendment Act of 2014".

2261 Sec. 6092. The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246;
2262 D.C. Official Code § 10-301 *et seq.*), is amended by adding a new section 7b to read as follows:

2263 "Sec. 7b. Athletic Field Permit Coordination Committee.

2264 "(a)(1) Within 90 days of the effective date of the Fiscal Year 2015 Budget Support Act
2265 of 2014, as introduced on April 3, 2014 (Bill 20-750), the Department shall establish an Athletic
2266 Field Permit Coordination Committee to advise the Department on how to develop a
2267 collaborative permitting system for athletic fields located on property owned by the District of
2268 Columbia.

2269 "(2) The Committee shall include representatives from the following:

2270 "(A) The Department;

2271 "(B) The Department of General Services;

2272 "(C) The District of Columbia Public Schools;

2273 "(D) The District of Columbia Public Charter School Board; and

2274 "(E) The National Park Service.

2275 "(3) The Department shall assign an employee from the Department to perform
2276 duties, including the following:

2277 "(A) Coordinating and securing a location for Committee meetings;

2278 "(B) Ensuring administrative support for the Committee, such as
2279 circulating meeting notices and keeping meeting minutes; and

2280 "(C) Developing an agenda for meetings and ensuring that the Committee
2281 issues the comprehensive report described in subsection (b) of this section.

2282 “(b) By March 31, 2015, the Committee shall transmit to the Mayor and to the Council,
2283 and make publicly available, a comprehensive report containing the following:

2284 “(1) An analysis of public field availability throughout the District;

2285 “(2) An analysis of whether it is feasible to create a singular office for permitting
2286 public athletic field space located throughout the District;

2287 “(3) A recommendation of how to proportionately allocate permit revenue to the
2288 District government entities whose fields are being used, as opposed to all funds being deposited
2289 into the General Fund; and

2290 “(4) A list of underutilized public fields that the Department, in collaboration with
2291 the Department of General Services, may convert to usable and sustainable fields.

2292 “(c) By March 31, 2016, and each year thereafter, the Committee shall transmit to the
2293 Mayor and to the Council, and make publicly available, a report containing the following:

2294 “(1) An update on the progress of the analysis conducted and recommendations
2295 provided in previous reports created by the Committee;

2296 “(2) Actions taken by the Committee in the preceding year; and

2297 “(3) Recommendations for methods to develop and provide a collaborative
2298 permitting system for athletic fields owned by the District of Columbia.”.

2299 **SUBTITLE I. COMPETITIVE GRANTS**

2300 Sec. 6111. Short title.

2301 This subtitle may be cited as the "Competitive Grants Act of 2014".

2302 Sec. 6112. In fiscal year 2015, the Council of the District of Columbia shall award a grant
2303 on a competitive basis to a regional organization, in an amount not to exceed \$500,000, to
2304 produce a comprehensive rail plan for the District, including plans to accommodate future
2305 increases in passenger, commuter, and freight rail traffic. The Council shall consult with the
2306 Office of Planning and the District Department of Transportation before awarding the grant.

2307 Sec. 6113. In fiscal year 2015, the District Department of the Environment shall award a
2308 grant on a competitive basis, in an amount not to exceed \$50,000, for recycling education at
2309 public housing.

2310 Sec. 6114. In fiscal year 2015, the Department of Parks and Recreation shall award a
2311 grant on a competitive basis, in an amount not to exceed \$250,000, to improve the Kenilworth
2312 Parkside Community Park.

2313 Sec. 6115. In fiscal years 2015 to 2018, the Office of the State Superintendent of
2314 Education shall award a grant on a competitive basis, in an amount not to exceed \$63,000, to one
2315 or more nonprofit organizations to support school pantries at low-income schools in the District.

2316 Sec. 6116. In fiscal years 2015 to 2018, the District Department of the Environment shall
2317 award a grant on a competitive basis, in an amount not to exceed \$200,000, to provide wildlife
2318 rehabilitation services.

2319 Sec. 6117. (a) Of the funds appropriated in fiscal years 2015 and 2016 to the Department
2320 of Small and Local Business Development for Clean Teams, the amount of \$600,000 shall be
2321 awarded as a competitive grant over a 2-year period to include \$300,000 in fiscal year 2015 and
2322 \$300,000 in fiscal year 2016 to a Business Improvement District that can provide clean team
2323 services to, at minimum, the following areas, with funds divided equally:

2324 (1) In Ward 7: Pennsylvania Avenue, S.E., from Fairlawn Street, S.E., to Naylor
2325 Road, S.E.;

2326 (2) In Ward 3: Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport
2327 Street, N.W.; and

2328 (3) In Ward 5: Penn Street, N.E., between 6th Street, N.E., and 4th Street, N.E.;
2329 4th Street, N.E., between Penn Street, N.E., and New York Avenue, N.E.; New York Avenue,
2330 N.E., between 4th Street, N.E., and Fenwick Street, N.E.; Fenwick Street, N.E., between New
2331 York Avenue, N.E., and West Virginia Avenue, N.E.; West Virginia Avenue, N.E., between
2332 Fenwick Street, N.E., and Mount Olivet Road, N.E.; Capitol Avenue, N.E., between Fenwick
2333 Street, N.E., and Mount Olivet Road, N.E.; Gallaudet Street, N.E., between Fenwick Street, N.E.,

2334 and Corcoran Street, N.E.; Fairview Avenue, N.E., between New York Avenue, N.E., and
2335 Gallaudet Street, N.E.; Corcoran Street, N.E., between Gallaudet Street, N.E., and Mount Olivet
2336 Road, N.E.; Kendall Street, N.E., between New York Avenue, N.E., and Capitol Avenue, N.E.;
2337 Central Place, N.E., between Gallaudet Street, N.E., and West Virginia Avenue, N.E.;
2338 Providence Street, N.E., between Gallaudet Street, N.E., and Capitol Avenue, N.E.; Okie Street,
2339 N.E., between Fenwick Street, N.E., and Kendall Street, N.E.; and the 1100 block of Okie Street,
2340 N.E.

2341 (b) The BID must further have experience in:

- 2342 (1) Providing clean team services;
- 2343 (2) Providing job training services to its employees;
- 2344 (3) Hiring District residents; and
- 2345 (4) Providing additional social support services to its Clean Team employees."

2346 (c) Section 6082 of the Fiscal Year 2014 Budget Support Act of 2013, approved
2347 December 24, 2013 (D.C. Law 20-61; 60 DCR 12541), is amended by striking the phrase
2348 "Cathedral Avenue" and inserting the phrase ""Devonshire Place" in its place.

2349 Sec. 6119. All grants issued pursuant to this subtitle shall be administered pursuant to the
2350 requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
2351 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

2352 Sec. 6120. Notwithstanding section 6119 of this act or section 1091 of the Grant
2353 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
2354 § 1-328.11), in fiscal year 2015, the Deputy Mayor for Planning and Economic Development
2355 shall award a grant of \$5,000,000 for the improvement of facilities and operations of the Animal
2356 Care and Control Agency selected pursuant to section 3 of the Animal Control Act of 1979,
2357 effective October 17, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1802).

2358 **TITLE VII. FINANCE AND REVENUE**

2359 **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

2360 Sec. 7001. Short title.

2361 This subtitle may be cited as the "Subject to Appropriations Amendment Act of 2014".

2362 Sec. 7002. The Tax Clarity Equity Act of 2013, effective February 22, 2014 (D.C. Law
2363 20-85; 61 DCR 184), is amended by adding a new section 2a to read as follows:

2364 "Sec. 2a. Applicability.

2365 "This act shall apply upon the inclusion of its fiscal effect in an approved budget and
2366 financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in
2367 a certification published by the Council in the District of Columbia Register."

2368 Sec. 7003. Section 3 of the Earned Sick and Safe Leave Amendment Act of 2013,
2369 effective February 22, 2014 (D.C. Law 20-89; 61 DCR 317), is repealed.

2370 Sec. 7004. Section 3 of the Minimum Wage Amendment Act of 2013, effective March
2371 11, 2014 (D.C. Law 20-91; 61 DCR 3746), is repealed.

2372 Sec. 7005. Section 4(c) of the Small and Certified Business Enterprise Development and
2373 Assistance Amendment Act of 2014, enacted on April 8, 2014 (D.C. Act 20-307; 61 DCR 3892),
2374 is repealed.

2375 Sec. 7006. Section 5 of the Fair Student Funding and School-Based Budgeting
2376 Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742), is
2377 repealed.

2378 Sec. 7007. Section 4 of the Smoking Restriction Amendment Act of 2013, effective
2379 December 13, 2014 (D.C. Law 20-48; 61 DCR 15145), is repealed.

2380 Sec. 7008. Section 13 of the Wildlife Protection Act of 2010, effective March 8, 2011
2381 (D.C. Law 18-289; D.C. Official Code § 8-2201 et seq.), is repealed.

2382 Sec. 7009. Section 5 of the Traffic Adjudication Amendment Act of 2014, passed on 2nd
2383 reading on May 6, 2014 (Enrolled version of Bill 20-324), is amended to read as follows:

2384 "Sec. 5. Applicability.

2385 "This act shall apply as of October 1, 2014."

2386 **SUBTITLE B. TAX REVISION COMMISSION IMPLEMENTATION**

2387 Sec. 7011. Short title.

2388 This subtitle may be cited as the “Tax Revision Commission Implementation
2389 Amendment Act of 2014”.

2390 Sec. 7012. Title 47 of the District of Columbia Official Code is amended as follows:

2391 (a) Chapter 18 is amended as follows:

2392 (1) Section 47-1801.04 is amended as follows:

2393 (A) Paragraph (11)(A) is amended by striking the phrase "paragraph
2394 (44)(A) and (B)" and inserting the phrase "paragraph (44)(A), (B), and (C)" in its place.

2395 (B) Paragraph (43) is amended by adding striking the phrase "section" and
2396 inserting the phrase "section. The term "sales" does not include receipts of a taxpayer from
2397 hedging transactions and from the maturity, redemption, sales, exchange, loan, or other
2398 disposition of cash or securities."

2399 (C) Paragraph (44) is amended to read as follows:

2400 "(44) "Standard deduction" means:

2401 "(A) In the case of a return filed by a single individual or married
2402 individual filing a separate return, or by a surviving spouse:

2403 "(i) For taxable years beginning before beginning before January 1,
2404 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the
2405 adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50).

2406 "(ii) For taxable years beginning January 1, 2015, the amount of
2407 \$5,200 increased annually by the cost-of-living adjustment (if the adjustment does not result in a
2408 multiple of \$50, rounded to the next lowest multiple of \$50).

2409 "(iii) For taxable years beginning January 1, 2017, the amount of
2410 the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

2411 (B) In the case of a return filed by a head of household:

2412 (i) For taxable years beginning before beginning before January 1,
2413 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the
2414 adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50).

2415 "(ii) For taxable years beginning January 1, 2015, the amount of
2416 \$6,650 increased annually by the cost-of-living adjustment (if the adjustment does not result in a
2417 multiple of \$50, rounded to the next lowest multiple of \$50).

2418 "(iii) For taxable years beginning January 1, 2017, the amount of
2419 the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

2420 "(C) In the case of a return filed by married individuals filing a joint
2421 return:

2422 "(i) For taxable years beginning before beginning before January 1,
2423 2015, the amount of \$4,000 increased annually by the cost-of-living adjustment (if the
2424 adjustment does not result in a multiple of \$50, rounded to the next lowest multiple of \$50).

2425 "(ii) For taxable years beginning January 1, 2015, the amount of
2426 \$8,350 increased annually by the cost-of-living adjustment (if the adjustment does not result in a
2427 multiple of \$50, rounded to the next lowest multiple of \$50).

2428 "(iii) For taxable years beginning January 1, 2017, the amount of
2429 the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of 1986;

2430 "(D) In the case of an individual who is a resident, as defined in paragraph
2431 (42) of this section, for less than a full 12-month taxable year, the amounts specified in
2432 subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the
2433 individual was a resident."

2434 (2) Section 47-1803.02(a)(2)(N) is amended as follows:

2435 (A) Sub-subparagraph (i) is amended by striking the word "and" at the
2436 end.

2437 (B) Sub-subparagraph (ii) is amended by striking the period and inserting
2438 the phrase "; and" in its place.

2439 (C) A new subsection (iii) is added to read as follows:

2440 "(iii) This paragraph shall apply for taxable years beginning before
2441 January 1, 2015."

2442 (3) Section 47-1803.03(b-1) is amended by striking the phrase "An individual"
2443 and inserting the phrase "For taxable years beginning before January 1, 2015, an individual" in
2444 its place.

2445 (5) Section 47-1806.02 is amended as follows:

2446 (A) Subsection (f)(1)(A) is amended to read as follows:

2447 "(A)(i) Whose gross income for the calendar year in which the year of the
2448 taxpayer begins, for taxable years beginning before January 1, 2015, is less than \$ 1,675,
2449 increased annually, beginning January 1, 2013, by the cost-of-living adjustment (if the
2450 adjustment does not result in a multiple of \$ 50, rounded to the next lowest multiple of \$ 50), or

2451 (I) Strike the phrase "beginning January 1, 2013,".

2452 (II) Strike the phrase", or" and insert a period in its place.

2453 (III) A new sentence is added at the end to read as follows:

2454 "For the taxable years beginning after December 31, 2014, the amount shall be the prescribed
2455 personal exemption amount in section 151 of the Internal Revenue Code of 1986; or".

2456 (B) Subsection (i) is amended to read as follows:

2457 "(i) For purposes of this section, the deduction for personal exemptions shall be:

2458 "(1) \$1,675, increased annually, beginning January 1, 2013, by the cost-of-living
2459 adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest
2460 multiple of \$50).

2461 "(2) For taxable years beginning after December 31, 2016, and ending before
2462 January 1, 2018, \$2,200.

2463 "(3) For taxable years beginning after December 31, 2017, and ending before
2464 January 1, 2019, \$3,200.

2465 "(4) For the taxable years beginning after December 31, 2018, the amount shall be
2466 the prescribed personal exemption amount in section 151 of the Internal Revenue Code of
2467 1986."

2468 (E) A new subsection (h-1) is added to read as follows:

2469 "(h-1)(1)(A) The amount of the personal exemption otherwise allowable for the taxable
2470 year shall, in the case of an individual whose adjusted gross income exceeds the applicable
2471 amount, be reduced by 2% for every \$2,500 of the excess of the adjusted gross income.

2472 "(B) No amount of the personal exemption in excess of the amount
2473 provided in subparagraph (A) of this paragraph shall be available for an adjusted gross income in
2474 excess of \$275,000.

2475 "(2) For the purposes of this subsection, the term "applicable amount" means for:

2476 "(A) A single individual or head of household - \$150,000;

2477 "(B) Married individuals filing jointly and surviving spouses - \$200,000;

2478 and

2479 "(C) Married individuals filing separately - \$100,000."

2480 (6) Section 47-1806.03(a) is amended as follows:

2481 (A) Paragraph (8)(B) is amended by striking the phrase "January 1, 2016"
2482 and inserting the phrase "January 1, 2015" in its place.

2483 (B) New paragraphs (9) and (10) are added to read as follows:

2484 "(9) In the case of taxable years beginning after December 31, 2014, there is
2485 imposed on the taxable income of every resident a tax determined in accordance with the
2486 following table:

2487 "If the taxable income is:....	The tax is:
2488 "Not over \$10,000	4% of the taxable income.
2489 "Over \$ 10,000 but not over \$ 40,000\$400, plus 6% of the excess over \$ 10,000.	
2490 "Over \$ 40,000 but not over \$ 60,000	\$2,200, plus 7% of the excess over \$ 40,000.
2491 "Over \$ 60,000 but not over \$ 350,000	\$3,600, plus 8.5% of the excess over \$ 60,000.
2492 "Over \$350,000	\$28,250, plus 8.95% of the excess above \$350,000.

2493 "(10) In the case of taxable years beginning after December 31, 2015, there is
2494 imposed on the taxable income of every resident a tax determined in accordance with the
2495 following table:

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2496	"If the taxable income is:...	The tax is:
2497	"Not over \$ 10,000	4% of the taxable income.
2498	"Over \$ 10,000 but not over \$ 40,000	\$400, plus 6% of the excess over \$ 10,000.
2499	"Over \$ 40,000 but not over \$ 60,000	\$2,200, plus 6.5% of the excess over \$ 40,000.
2500	"Over \$ 60,000 but not over \$ 350,000	\$3,600, plus 8.5% of the excess over \$ 60,000.
2501	"Over \$350,000 but not over \$1,000,000	\$28,250, plus 8.75% of the excess above \$350,000.
2502	"Over \$1,000,000	\$86,425, plus 8.95% of the excess above
2503	\$1,000,000	

2504 (7) Section 47-1806.04 is amended as follows:

2505 (A) Subsection (e) is amended by adding a new paragraph (4) to read as
2506 follows:

2507 "(4) This subsection shall apply for taxable years beginning before January 1,
2508 2015."

2509 (B) Subsection (f)(1) is amended as follows:

2510 (i) Designate the existing text as subparagraph (A).

2511 (ii) New subparagraphs (B) and (C) are added to read as follows:

2512 "(B) If a return is filed for a full calendar or fiscal year beginning after
2513 December 31, 2014, an individual, with a qualifying child, who is eligible for and claimed an
2514 earned income tax credit on their federal tax return under section 32 of the Internal Revenue
2515 Code of 1986 shall be allowed a credit against the tax imposed by this chapter for the taxable
2516 year in an amount equal to 40% of the earned income tax credit allowed under section 32 of the
2517 Internal Revenue Code of 1986.

2518 "(C)(i) If a return is filed for a full calendar or fiscal year beginning after
2519 December 31, 2014, an individual, without a qualifying child, who is eligible for an earned
2520 income tax credit on their federal tax return under section 32 of the Internal Revenue Code of
2521 1986 (without regard to the limit in section 32(a)(2)) shall be allowed a credit against the tax

2522 imposed by this chapter in an amount equal to the credit percentage of so much of a taxpayer's
2523 earned income as does not exceed the earned income amount.

2524 (ii) The amount of the credit allowable to a taxpayer under sub-
2525 subparagraph (i) of this subparagraph for any taxable year shall not exceed the credit percentage
2526 of the earned income amount, over the phaseout percentage of 21.87% of so much of the
2527 adjusted gross income (or, if greater, the earned income) of the taxpayer for the taxable year as
2528 exceeds the phaseout amount of \$17,235, increased annually by the cost-of-living adjustment."

2529 (iii) A new paragraph (4) is added to read as follows:

2530 "(4) For the purposes of this subsection, credit percentage, earned income, earned
2531 income amount, and qualifying child shall have the same meaning as section 32 of the Internal
2532 Revenue Code of 1986."

2533 (C) Subsection (g)(1) is amended by striking the phrase "under
2534 subsection" and inserting the phrase "under subsection (f)(1)(C) of this section or subsection" in
2535 its place.

2536 (8) Section 47-1807.02(a) is amended by adding new paragraphs (5), (6), (7), and
2537 (8) to read as follows:

2538 "(5) For taxable years beginning after December 31, 2014, and before January 1,
2539 2016, a tax at the rate of 9.4% upon the taxable income of every corporation, whether domestic
2540 or foreign.

2541 "(6) For taxable years beginning after December 31, 2015, and before January 1,
2542 2018, a tax at the rate of 9% upon the taxable income of every corporation, whether domestic or
2543 foreign.

2544 "(7) For taxable years beginning after December 31, 2017, and before January 1,
2545 2019, a tax at the rate of 8.5% upon the taxable income of every corporation, whether domestic
2546 or foreign.

2547 "(8) For taxable years beginning after December 31, 2018, a tax at the rate of
2548 8.25% upon the taxable income of every corporation, whether domestic or foreign."

2549 (9) Section 47-1808.01 is amended as follows:

2550 (A) Paragraph (4) is amended by striking the word "or" at the end.

2551 (B) Paragraph (5) is amended by striking the period at the end and
2552 inserting the phrase "; or" in its place.

2553 (C) A new paragraph (6) is added to read as follows:

2554 "(6) A trade or business that arises solely by reason of the purchase, holding, or
2555 sale of, or the entering, maintaining, or terminating of positions in, stocks, securities, or
2556 commodities for the taxpayer's own account; provided, that this paragraph shall not apply to:

2557 "(A) A taxpayer that holds property, or maintains positions, as stock in
2558 trade, inventory, or for sale to customers in the ordinary course of the taxpayer's trade or
2559 business;

2560 "(B) A taxpayer that acquires debt instruments in the ordinary course of
2561 the taxpayer's trade or business for funds loaned or services rendered; or

2562 "(C) A taxpayer that holds any of the following that is not traded on an
2563 established securities market:

2564 "(i) Stock in a real estate investment trust; or

2565 "(ii) A partnership interest."

2566 (10) Section 47-1808.03(a) is amended by adding new paragraphs (5), (6), (7),
2567 and (8) to read as follows:

2568 "(5) For taxable years beginning after December 31, 2014, and before January 1,
2569 2016, a tax at the rate of 9.4% upon the taxable income of every unincorporated business,
2570 whether domestic or foreign.

2571 "(6) For taxable years beginning after December 31, 2015, and before January 1,
2572 2018, a tax at the rate of 9% upon the taxable income of every unincorporated business, whether
2573 domestic or foreign.

2574 "(7) For taxable years beginning after December 31, 2017, and before January 1,
2575 2019, a tax at the rate of 8.5% upon the taxable income of every unincorporated business,
2576 whether domestic or foreign.

2577 "(8) For taxable years beginning after December 31, 2018, a tax at the rate of
2578 8.25% upon the taxable income of every unincorporated business, whether domestic or foreign."

2579 (11) Section 47-1810.02 is amended as follows:

2580 (A) Subsection (d) is amended by striking the phrase "(d-1), all" and
2581 inserting the phrase "(d-1) and (d-2), all" in its place.

2582 (B) A new subsection (d-2) is added to read as follows:

2583 "(d-2) Apportionment of business income.

2584 (1) All business income shall be apportioned to the District by multiplying the
2585 income by the sales factor.

2586 (2) This subsection shall be applicable for the tax years beginning after
2587 December 31, 2014."

2588 (C) Subsection (g)(3) is amended to read as follows:

2589 "(g)(3)(A) Sales, other than sales of tangible personal property, are in the District if the
2590 taxpayer's market for the sales is in the District. The taxpayer's market for sales is in the District:

2591 (i) In the case of rental, lease, or license of real property or
2592 tangible personal property, if and to the extent the property is located in the District;

2593 (ii) In the case of the sale of a service, if and to the extent the
2594 service is delivered to a location in the District; and

2595 (iii) In the case of intangible property:

2596 (I) That is rented, leased, or licensed, if and to the extent
2597 the property is used in the District; provided, that intangible property utilized in marketing a
2598 good or service to a consumer is used in the District if that good or service is purchased by a
2599 consumer who is in the District; and

2627 (1) Section 47-2001 is amended as follows:

2628 (A) Subsection (b-1) is repealed.

2629 (B) Subsection (h-3) is amended to read as follows:

2630 "(h-3) "Other tobacco product" means any product containing, made, or derived from
2631 tobacco, other than a cigarette, that is intended or expected to be consumed. The term "other
2632 tobacco product" does not include any product that has been approved by the United States Food
2633 and Drug Administration for sale as a tobacco cessation product, a tobacco dependence product,
2634 or for other medical purposes, and is being marketed and sold solely for the approved purpose.".

2635 (C) Subsection (i-1) is repealed.

2636 (D) Subsection (n) is amended as follows:

2637 (i) Paragraph (1) is amended as follows:

2638 (I) Subparagraph (T) is amended by striking the word "or"
2639 at the end.

2640 (II) Subparagraph (U) is amended by striking the period at
2641 the end and inserting the phrase "; or" in its place.

2642 (III) New subparagraphs (V), (X), (Y), (Z), and (AA) are
2643 added to read as follows:

2644 "(V) The sale of or charge for the service of water consumption through
2645 direct selling establishments;

2646 "(W) The sale of or charge for the service of the storage of household
2647 goods through renting or leasing space for self-storage, including rooms, compartments, lockers,
2648 containers, or outdoor space, except general merchandise warehousing and storage and coin-
2649 operated lockers;

2650

2651 "(X) The sale of or charge for the service of carpet and upholstery
2652 cleaning, including the cleaning or dyeing of used rugs, carpets, or upholstery, or for rug repair;

2679 be 6% of the gross receipts from sales of or charges for such tangible personal property and
2680 services, except that:" in its place.

2681 (B) Paragraph (4A) is amended by adding the word "and" at the end.

2682 (C) Paragraphs (5) and (6) are repealed.

2683 (d) Section 47-2202 is amended by striking the phrase "5.75%, except for the period
2684 beginning October 1, 2009, and ending September 30, 2012, the rate shall be 6%," and inserting
2685 the phrase "5.75%; beginning October 1, 2014, the rate of tax imposed by this section shall be
2686 6%" in its place.

2687 (f) Chapter 37 is amended as follows:

2688 (1) Section 47-3701 is amended as follows:

2689 (A) Paragraph (4) is amended follows:

2690 (i) The lead-in text of subparagraph (B) is amended to read as
2691 follows:

2692 "(B) For a decedent dying after December 31, 2001, but before January 1,
2693 2003:".

2694 (ii) The lead-in text of subparagraph (C) is amended to read as
2695 follows:

2696 "(C) For a decedent dying after December 31, 2002, but before January 1,
2697 2018:".

2698 (B) Paragraph (5) is amended as follows:

2699 (i) Subparagraph (A) is amended by striking the phrase "decedent
2700 whose death occurs prior to to January 1, 2008," and inserting the phrase "decedent dying before
2701 January 1, 2008, or after December 31, 2017," in its place.

2702 (ii) Subparagraph (B) is amended by striking the phrase "decedent
2703 whose death occurs on or subsequent to January 1, 2008," and inserting the phrase "decedent
2704 dying after December 31, 2007, but before January 1, 2018," in its place.

2705 (C) Paragraph (6) is amended to read as follows:

2706 "(6) "Internal Revenue Code" means:

2707 "(A) For a decedent dying before January 1, 2015, the Internal Revenue
2708 Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 et seq.), in effect for
2709 federal estate tax purposes on January 1, 2001, unless a different meaning is clearly required by
2710 the provisions of this chapter; and

2711 "(B) For a decedent dying after December 31, 2014, the Internal Revenue
2712 Code in effect on the date of the decedent's death; provided, that if the federal estate tax is not in
2713 effect at the time of the decedent's death, it means the Internal Revenue Code as in effect
2714 immediately before the federal estate tax ceased to be in effect."

2715 (D) Paragraph (12) is amended as follows:

2716 (i) Subparagraph (A) is amended to read as follows:

2717 "(A) For a decedent dying before January 1, 2008, the meaning defined in
2718 section 2051 of the Internal Revenue Code of 1954."

2719 (ii) Subparagraph (B) is amended by striking the phrase "decedent
2720 whose death occurs on or subsequent to January 1, 2008, the meaning defined in section 2501"
2721 and inserting the phrase "decedent dying after December 31, 2007, but before January 1, 2017,
2722 the meaning defined in section 2051" in its place.

2723 (iii) A new subparagraph (C) is added to read as follows:

2724 "(C) For a decedent dying after December 31, 2016, the meaning defined
2725 in the Internal Revenue Code."

2726 (E) Paragraph (13) is repealed.

2727 (F) New paragraphs (14), (15), and (16) are added to read as follows:

2728 "(14) "Taxable situs" means with regard to:

2729 "(A) Real property, the place where the property is situated;

2730 "(B) Tangible personal property, the place where the property is
2731 customarily located at the time of the decedent's death; and

2732 "(C) Intangible personal property, the domicile of the decedent at the time
2733 of the decedent's death; provided, that intangible personal property used in a trade or business in
2734 the District shall have a taxable situs in the District regardless of the domicile of the owner.

2735 "(15) "Value" means value as finally determined for federal estate tax purposes,
2736 or otherwise defined under the Internal Revenue Code.

2737 "(16)(A) "Zero bracket amount" means \$5.25 million increased by an amount
2738 equal to \$5.25 million multiplied by the cost of living adjustment for the calendar year.

2739 "(B) For the purposes of this paragraph, the term:

2740 "(i) "Cost-of-living adjustment" means for a calendar year the
2741 percentage (if any) by which the CPI for the preceding calendar year exceeds the CPI for the
2742 calendar year 2010; provided, that for any amount as adjusted under the preceding sentence that
2743 is not a multiple of \$10,000, the amount shall be rounded to the nearest \$10,000.

2744 "(ii) "CPI" means the consumer price index as defined in sections
2745 1(f)(4) and (5) of the Internal Revenue Code."

2746 (2) Section 47-3702 is amended as follows:

2747 (A) Subsection (a) is amended by striking the phrase "resident dying on or
2748 after April 1, 1987, subject" and inserting the phrase "resident decedent dying after March 31,
2749 1986, but before January 1, 2015, subject" in its place.

2750 (B) A new subsection (a-1) is added to read as follows:

2751 "(a-1) A tax is imposed on the taxable estate of every resident decedent dying after
2752 December 31, 2014, as follows:

2753 "(1) The rate of tax shall be 16%; except, that:

2754 "(A) The rate of tax on the taxable estate between \$0 and the zero bracket
2755 amount shall be 0%;

2756 "(B) The rate of tax on the taxable estate between the zero bracket amount
2757 and \$7.5 million (if any) shall be 12%; and

2758 "(C) The rate of tax on the taxable estate between the greater of the zero
2759 bracket amount or \$7.5 million and \$10 million (if any) shall be 14%.

2760 "(2) If any real or tangible personal property of a resident decedent has a taxable
2761 situs outside the District, the amount of the tax due under this section shall be reduced by the
2762 proportion that the value of the real or tangible property outside the District bears to the amount
2763 of the gross estate of the resident decedent."

2764 (C) Subsection (b) is amended by striking the word "If" and inserting the
2765 phrase "For a decedent dying before January 1, 2015, if" in its place.

2766 (D) Subsection (c) is repealed.

2767 (3) Section 47-3703 is amended as follows:

2768 (A) Subsection (b) is amended by striking the word "The" and inserting
2769 the phrase "For every nonresident decedent dying before January 1, 2015, the" in its place.

2770 (B) A new subsection (b-1) is added to read as follows:

2771 "(b-1) For every nonresident decedent dying after December 31, 2014, the tax shall be an
2772 amount computed by multiplying the tax determined under § 47-3702(a-1) by a fraction, the
2773 numerator of which shall be the value of that part of the gross estate that has its taxable situs in
2774 the District and the denominator of which shall be the value of the resident decedent's gross
2775 estate."

2776 (C) Subsection (c) is repealed.

2777 (4) Section 47-3705(a)(2) is amended to read as follows:

2778 "(2) A personal representative shall not be required to file a return:

2779 "(A) For a decedent dying before January 1, 2017, if the gross estate does
2780 not exceed \$1 million.

2781 "(B) For a decedent dying after December 31, 2016, and before January 1,
2782 2018, if the gross estate does not exceed \$2 million.

2783 "(C) For a decedent dying after December 31, 2017, if the gross estate
2784 does not exceed the zero bracket amount."

2785 (5) Section 47-3723 is repealed.

2786 Sec. 7013. Section 7 the Government Employer-Assisted Housing Amendment Act of
2787 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506), is amended by
2788 adding a new subsection (c) to read as follows:

2789 "(c) This section shall apply for taxable years beginning after October 1, 2006 through
2790 taxable year ending December 31, 2014."

2791 **SUBTITLE C. URBAN INSTITUTE REAL PROPERTY TAX REBATE**

2792 Sec. 7021. Short title.

2793 This subtitle may be cited as the "The Urban Institute Real Property Tax Rebate Act of
2794 2014".

2795 Sec. 7022. Section 47-4624 of the District of Columbia Official Code is amended to read
2796 as follows;

2797 "§ 47-4624. The Urban Institute tax rebate.

2798 "(a) If The Urban Institute leases and occupies a building or a portion of a building that is
2799 subject to real property taxation under Chapter 8 of Title 47 of the District of Columbia, The
2800 Urban Institute shall receive a rebate of its proportionate share of the real property tax paid with
2801 respect to the building, if:

2802 "(1) It is liable under the lease for its proportionate share of the real property tax;

2803 "(2) It applies for the rebate of real property tax by September 15 of the calendar
2804 year in which the tax was payable as provided under § 47-811;and

2805 "(3) The real property tax was paid.

2806 "(b) The rebate shall be the amount of the portion of the real property tax that was paid,
2807 either directly or indirectly, by The Urban Institute under its lease with the lessor.

2808 "(c) The application for the rebate shall include:

2809 "(1) A copy of the lease with the lessor; and

2810 "(2) Documentation that the tax has been paid.

2811 "(d) If a proper application has been made, the Chief Financial Officer shall rebate the tax
2812 on or before December 31 of the same calendar year.

2813 "(e) The real property tax rebate established by this section shall begin no earlier than
2814 January 1, 2015, and shall be effective for a 10-year period. The first year of the 10-year period
2815 shall be the year that The Urban Institute occupies a building or a portion of a building that is
2816 subject to real property taxation under Chapter 8 of Title 47 of the District of Columbia pursuant
2817 to a signed lease with the lessor of that building or building portion. The amount of the rebate
2818 shall not exceed one million per tax year."

2819 **SUBTITLE D. INDUSTRIAL REVENUE BOND SECURITY INTEREST**

2820 **INSTRUMENT RECORDATION TAX EXEMPTION**

2821 Sec. 7031. Short title.

2822 This subtitle may be cited as the "Industrial Revenue Bond Security Interest Instrument
2823 Recordation Tax Exemption Amendment Act of 2014".

2824 Sec. 7032. Section 302 of the District of Columbia Deed Recordation Tax Act, approved
2825 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

2826 (a) Paragraph (31) is amended by striking the word "and".

2827 (b) Paragraph (32) is amended by striking the period and inserting the phrase "; and" in
2828 its place.

2829 (c) A new paragraph (33) is added to read as follows:

2830 "(33) A security interest instrument executed by a borrower in connection with a
2831 loan under the Industrial Revenue Bond Forward Commitment Program authorized by
2832 Subchapter II-B of Chapter 3 of Title 47 of the D.C. Official Code; provided, that unless waived
2833 by regulation, a certification by the Mayor that the security interest instrument is entitled to this
2834 exemption accompanies the security interest instrument at the time it is presented for
2835 recordation."

2836 **SUBTITLE E. FISCAL YEAR 2014 BUDGET SUPPORT ACT AMENDMENTS**

2837 Sec. 7041. Short title

2838 This subtitle may be cited as the "Fiscal Year 2014 Budget Support Act Amendment Act
2839 of 2014".

2840 Sec. 7042. The Fiscal Year 2014 Budget Support Act of 2013, effective December 24,
2841 2013 (D.C. Law 20-61; 60 DCR 12472), is amended as follows:

2842 (a) Section 4092 is repealed.

2843 (b) Section 4122 is repealed.

2844 (c) Section 7242 is repealed.

2845 (d) Section 7243 is repealed.

2846 Sec. 7043. Section 47-2402(1) of the District of Columbia Official Code is amended as
2847 follows:

2848 (a) Subparagraph (2)(A) is amended to read as follows:

2849 “(A) Such funds as may be appropriated from time to time; and”.

2850 (b) Paragraph (4) is repealed.

2851 **SUBTITLE F. SENIOR CITIZEN REAL PROPERTY TAX RELIEF**

2852 Sec. 7051. Short title.

2853 This subtitle may be cited as the "Senior Citizen Real Property Tax Relief Amendment
2854 Act of 2014".

2855 Sec. 7052. Section 47-1806.06 is amended as follows:

2856 (a) Subsection (a) is amended is as follows:

2857 (1) Paragraph (1)(C) is amended by striking the phrase "for all claimants" and
2858 inserting the phrase "for all claimants other than eligible senior claimants" in places.

2859 (2) A new paragraph (2A) is added to read as follows:

2860 “(2A) For taxable years beginning after December 31, 2014, the percentage
2861 required under paragraph (1) of this subsection to be determined for eligible senior claimants
2862 shall be 100% of property tax or rent paid constituting property tax (20% of rent) exceeding
2863 3.0% of adjusted gross income of the tax filing unit.”.

2864 (b) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

2865 "(9) The term "eligible senior claimant" means a claimant who is 70 years or older
2866 at any time during the tax year and whose adjusted gross income does not exceed \$60,000."

2867 Sec. 7053. Section 47-845.03(c) is amended by striking the phrase "per year" and
2868 inserting the phrase "per year; provided further, that if an individual owner is 75 years of age or
2869 older, has less than \$12,500 of household interest and dividend income, and has owned a
2870 residence in the District for at least 25 years (including no more than 2 consecutive gaps of
2871 ownership where each gap shall not exceed 120 days), no interest shall bear for taxes deferred
2872 under this section" in its place.

2873 Sec. 7054. Section 47-863(a) is amended by adding a new paragraph (6) to read as
2874 follows:

2875 “(6) “20 consecutive tax years” shall include no more than 2 consecutive gaps of
2876 ownership where each gap shall not exceed 120 days.”.

2877 **SUBTITLE G. WHITMAN-WALKER TAX REAL PROPERTY TAX REBATE**

2878 Sec. 7061. Short title.

2879 This subtitle may be cited as the "Whitman-Walker Tax Rebate Act of 2014".

2880 Sec. 7062. Chapter 46 of title 47 of the District of Columbia Official Code is amended as
2881 follows:

2882 (a) The table of contents is amended by adding a new section designation to read as
2883 follows:

2884 "47-4662. Whitman-Walker Clinic, Inc.; Square 241, Lot 129."

2885 (b) A new section 47-4662 is added to read as follows:

2886 "§ 47-4662. Whitman-Walker Clinic, Inc.; Square 241, Lot 129."

2887 "(a) Real property taxes paid with respect to Square 241, Lot 129, shall be rebated to the
2888 Whitman-Walker Clinic, Inc. ("WWC"), to the extent of WWC's proportionate share of the real
2889 property tax incurred if:

2890 "(1) WWC is liable under the lease for its proportionate share of the real property
2891 tax;

2892 "(2) WWC applies for the rebate of real property tax by September 15 of the
2893 calendar year in which the tax was payable as provided under § 47-811; and

2894 "(3) The real property tax was paid.

2895 "(c) The rebate shall be the amount of the real property tax passed through to WWC
2896 under a lease with the lessor that was paid, directly or indirectly, by WWC.

2897 "(d) The application for the rebate shall include:

2898 " (1) A copy of the lease with lessor; and

2899 " (2) Documentation that the real property tax has been paid.

2900 "(e) If a proper application as required by this section has been submitted, the Chief
2901 Financial Officer shall rebate the real property tax on or before December 31 of the same
2902 calendar year.

2903 "(f) The rebate provided pursuant to this section shall apply beginning with tax year
2904 2015.

2905 "(g) The rebate provided pursuant to this section shall be in addition to, and not in lieu of,
2906 any other tax, financial, or development incentive, tax credit, or any other incentive of any type
2907 provided to WWC under any District or federal program."

2908 **SUBTITLE H. ENCOURAGING ALTERNATIVE FUEL VEHICLES AND**
2909 **INFRASTRUCTURE INSTALLATION THROUGH TAX INCENTIVES**

2910 Sec. 7071. Short title.

2911 This subtitle may be cited as the "Alternative Fuel Vehicle and Infrastructure Installation
2912 Through Tax Incentives Act of 2014".

2913 Sec. 7072. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
2914 follows:

2915 (a) The table of contents is amended by adding new section designations to read as
2916 follows:

2917 (1) "47-1806.12. Tax on residents and non-residents — Credits — Alternative
2918 fuel infrastructure credit."

2919 (2) "47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel
2920 vehicle conversion credit."

2921 (3) "47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure
2922 credit."

2923 (4) "47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle
2924 conversion credit."

2925 (5) "47-1808.10. Tax on unincorporated businesses — Credits — Alternative fuel
2926 infrastructure credit."

2927 (6) "47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel
2928 vehicle conversion credit."

2929 (b) New sections 47-1806.12 and 47-1806.13 are added to read as follows:

2930 "§ 47-1806.12. Tax on residents and non-residents — Credits — Alternative fuel
2931 infrastructure credit.

2932 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
2933 ending December 31, 2026, there shall be allowed against the tax imposed on an eligible
2934 applicant by § 47-1806.03 a credit in the amount of 50% of the equipment and labor costs
2935 directly attributable to the purchase and installation of alternative fuel storage and dispensing or
2936 charging equipment on a qualified alternative fuel vehicle refueling property or in a qualified
2937 private residence; provided, that the credit shall not exceed:

2938 "(1) For a qualified private residence, \$1,000 per vehicle charging station; or

2939 "(2) For a qualified alternative fuel vehicle refueling property, \$10,000 per
2940 qualified alternative fuel vehicle refueling property or vehicle charging station.

2941 "(b) The equipment and labor costs for which a tax credit may be claimed under this
2942 section shall not include costs associated with the:

2943 "(1) Purchase of land, or access to land, to be used as a qualified alternative fuel
2944 vehicle refueling property;

2945 "(2) Purchase of an existing qualified alternative fuel vehicle refueling property;
2946 or

2947 "(3) Construction or purchase of any structure.

2948 "(c) The credit claimed under this section in any one tax year may not exceed the
2949 taxpayer's tax liability under § 47-1806.03 for that year.

2950 "(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise
2951 due under § 47-1806.03, the amount of the credit not used may be carried forward for up to 2 tax
2952 years. The credit shall not be refundable.

2953 "(e) If the alternative fuel storage and dispensing equipment or charging equipment on a
2954 qualified alternative fuel vehicle refueling property is no longer used to dispense or sell
2955 alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not
2956 claim a tax credit for the portion of the tax year after the date on which the alternative fuel
2957 storage and dispensing equipment or charging equipment was no longer used to dispense or sell
2958 alternative fuel to the public.

2959 "(f) For the purposes of this section, the term:

2960 "(1) "Alternative fuel" means a fuel used to power a motor vehicle that consists of
2961 one or more of the following:

2962 "(A) At least 85% ethanol;

2963 "(B) Natural gas;

2964 "(C) Compressed natural gas;

2965 "(D) Liquefied natural gas;

2966 "(E) Liquefied petroleum gas;

2967 "(F) Biodiesel, excluding kerosene;

2968 "(G) Electricity provided by a vehicle charging station; or

2969 "(H) Hydrogen.

2970 "(2) "Eligible applicant" means a resident who is an owner or lessee of a qualified
2971 alternative fuel vehicle refueling property or a qualified private residence.

2972 "(3) "Qualified alternative fuel vehicle refueling property" means a property in the
2973 District that contains equipment available for use by the public for storing and dispensing
2974 alternative fuel, including charging electrically.

2975 "(4) "Qualified private residence" means a property that is the dwelling of a
2976 person that has a vehicle charging station.

2977 "§ 47-1806.13. Tax on residents and non-residents – Credits – Alternative fuel vehicle
2978 conversion credit.

2979 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
2980 ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1806.03 a
2981 credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to
2982 convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum
2983 derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed \$19,000 per
2984 vehicle.

2985 "(b) The credit claimed under this section in any one tax year may not exceed the
2986 taxpayer's tax liability under § 47-1806.03 for that year. The credit shall not be refundable.

2987 "(c) For the purposes of this section, the term "alternative fuel" shall have the same
2988 meaning set forth in § 47-1806.12(f)(1)."

2989 (c) New sections 47-1807.10 and 47-1807.11 are added to read as follows:

2990 "§ 47-1807.10. Tax on corporations — Credits — Alternative fuel infrastructure credit.

2991 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
2992 ending December 31, 2026, there shall be allowed against the tax imposed on an eligible
2993 applicant by § 47-1807.02 a credit in the amount of 50% of the equipment and labor costs
2994 directly attributable to the purchase and installation of alternative fuel storage and dispensing or
2995 charging equipment on a qualified alternative fuel vehicle refueling property.

2996 "(b) The equipment and labor costs for which a tax credit may be claimed under this
2997 section shall not include costs associated with the:

2998 "(1) Purchase of land, or access to land, to be used as a qualified alternative fuel
2999 vehicle refueling property;

3000 "(2) Purchase of an existing qualified alternative fuel vehicle refueling property;

3001 or

3002 "(3) Construction or purchase of any structure.

3003 "(c) The credit claimed under this section in any one tax year may not exceed the
3004 taxpayer's tax liability under § 47-1807.02 for that year.

3005 "(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise
3006 due under § 47-1807.02, the amount of the credit not used may be carried forward for up to 2 tax
3007 years. The credit shall not be refundable.

3008 "(e) If the alternative fuel storage and dispensing equipment or charging equipment on a
3009 qualified alternative fuel vehicle refueling property is no longer used to dispense or sell
3010 alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not
3011 claim a tax credit for the portion of the tax year after the date on which the alternative fuel
3012 storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the
3013 public.

3014 "(f) For the purposes of this section, the term:

3015 "(1) "Alternative fuel" shall have the same meaning set forth in § 47-
3016 1806.12(f)(1).

3017 "(2) "Eligible applicant" means a corporation that is the owner or lessee of a
3018 qualified alternative fuel vehicle refueling property.

3019 "(3) "Qualified alternative fuel vehicle refueling property" shall have the same
3020 meaning set forth in § 47-1806.12(f)(3).

3021 "§ 47-1807.11. Tax on corporations – Credits – Alternative fuel vehicle conversion
3022 credit.

3023 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
3024 ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1807.02 a

3025 credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to
3026 convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum
3027 derived gasoline to a motor vehicle that operates on an alternative fuel, not to exceed \$19,000 per
3028 vehicle.

3029 "(b) The credit claimed under this section in any one tax year may not exceed the
3030 taxpayer's tax liability under § 47-1807.02 for that year. The credit shall not be refundable."

3031 "(c) For the purposes of this section, the term "alternative fuel" shall have the same
3032 meaning set forth in § 47-1806.12(f)(1)."

3033 (d) New sections 47-1808.10 and 47-1808.11 are added to read as follows:

3034 "§ 47-1808.10. Tax on unincorporated business — Credits — Alternative fuel
3035 infrastructure credit.

3036 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
3037 ending December 31, 2026, there shall be allowed against the tax imposed on an eligible
3038 applicant by § 47-1808.03 a credit in the amount of 50% of the equipment and labor costs
3039 directly attributable to the purchase and installation of alternative fuel storage and dispensing or
3040 charging equipment on a qualified alternative fuel vehicle refueling property, not to exceed
3041 \$10,000 per qualified alternative fuel vehicle refueling property or per vehicle charging station.

3042 "(b) The equipment and labor costs for which a tax credit may be claimed under this
3043 section shall not include costs associated with the:

3044 "(1) Purchase of land, or access to land, to be used as a qualified alternative fuel
3045 vehicle refueling property;

3046 "(2) Purchase of an existing qualified alternative fuel vehicle refueling property;

3047 or

3048 "(3) Construction or purchase of any structure.

3049 "(c) The credit claimed under this section in any one tax year may not exceed the
3050 taxpayer's tax liability under § 47-1808.03 for that year.

3051 "(d) If the amount of the tax credit permitted under this section exceeds the tax otherwise
3052 due under § 47-1808.03, the amount of the credit not used may be carried forward for up to 2 tax
3053 years. The credit shall not be refundable.

3054 "(e) If the alternative fuel storage and dispensing equipment or charging equipment on a
3055 qualified alternative fuel vehicle refueling property is no longer used to dispense or sell
3056 alternative fuel to the public, any unused tax credit shall be forfeited and the taxpayer may not
3057 claim a tax credit for the portion of the tax year after the date on which the alternative fuel
3058 storage and dispensing equipment was no longer used to dispense or sell alternative fuel to the
3059 public.

3060 "(f) For the purposes of this section, the term:

3061 "(1) "Alternative fuel" shall have the same meaning set forth in § 47-
3062 1806.12(f)(1).

3063 "(2) "Eligible applicant" means an unincorporated business that is the owner or
3064 lessee of a qualified alternative fuel vehicle refueling property.

3065 "(3) "Qualified alternative fuel vehicle refueling property" shall have the same
3066 meaning set forth in § 47-1806.12(f)(3).

3067 "§ 47-1808.11. Tax on unincorporated businesses – Credits – Alternative fuel vehicle
3068 conversion credit.

3069 "(a) Beginning with the taxable year after December 31, 2013, through the taxable year
3070 ending December 31, 2026, there shall be allowed against the tax imposed by § 47-1808.03 a
3071 credit in the amount of 50% of the equipment and labor costs directly attributable to the cost to
3072 convert a motor vehicle licensed in the District that operates on petroleum diesel or petroleum
3073 derived gasoline to a motor vehicle that operates on an alternative fuel.

3074 "(b) The credit claimed under this section in any one tax year may not exceed the
3075 taxpayer's tax liability under § 47-1808.03 for that year. The credit shall not be refundable.

3076 "(c) For the purposes of this section, the term "alternative fuel" shall have the same
3077 meaning set forth in § 47-1806.12(f)(1)."

3078 **SUBTITLE I. REAL PROPERTY TAX CALCULATED RATE CLARITY**

3079 Sec. 7091. Short title.

3080 This subtitle may be cited as the "Real Property Tax Calculated Rate Clarity Act of
3081 2014".

3082 Sec. 7092. Section § 47-812 of the District of Columbia Official Code is amended as
3083 follows:

3084 (a) Subsection (b-8) is amended as follows:

3085 (1) Paragraph (1)(A)(iv) is amended as follows:

3086 (A) Sub-sub-subparagraph (I) is amended by striking the phrase ", as
3087 certified in the latest revenue estimate,".

3088 (B) Sub-sub-subparagraph (II) is amended to read as follows:

3089 "(II) By January 5 of the tax year, the Mayor shall submit
3090 to the Council the real property tax rate computed under sub-sub-subparagraph (I) of this sub-
3091 subparagraph.".

3092 (2) Paragraph (2) is repealed.

3093 (b) Subsection (b-9) is amended as follows:

3094 (1) Paragraph (1)(A) is amended to read as follows:

3095 "(A) For the first \$3 million of assessed value, \$1.65 of each \$100 of
3096 assessed value; and".

3097 (2) Paragraph (2) is amended as follows:

3098 (A) Subparagraph (A)(i) is amended to read as follows:

3099 "(i) For the first \$3 million of assessed value, the rate as
3100 established in subparagraph (B) of this paragraph; provided, that for the tax year beginning
3101 October 1, 2011, the tax rate shall be \$1.65 of each \$100 of assessed value; and".

3102 (B) Subparagraph (B) is amended as follows:

3103 (i) Sub-subparagraph (ii)(I) is amended by striking the word
3104 "received" and inserting the phrase "estimated to be received" in its place.

3105 (ii) Sub-subparagraph (ii)(II) is amended by striking the phrase
3106 "for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value" and inserting
3107 the phrase "in the tax year based upon the applicable rates in effect for Class 2 Properties during
3108 the prior tax year" in its place.

3109 (iii) Sub-subparagraph (iii) is amended by striking the phrase
3110 "Before September 16 of each year" and inserting the phrase "By January 5 of each tax year" in
3111 its place.

3112 (c) A new subsection (f) is added to read as follows:

3113 "(f)(1) When the last day prescribed under this section for performing any act falls on
3114 Saturday, Sunday, or a legal holiday, the performance of the act shall be considered timely if it is
3115 performed on the next succeeding day that is not a Saturday, Sunday, or a legal holiday.

3116 "(2) The last day for the performance of any act shall be determined by including
3117 any authorized extension of time.

3118 "(3) For the purposes of this subsection, "legal holiday" means a legal holiday in
3119 the District of Columbia."

3120 **SUBTITLE J. CARVER 2000 SENIOR MANSION REAL PROPERTY TAX**

3121 **ABATEMENT**

3122 Sec. 7101. Short title.

3123 This subtitle may be cited as the "Carver 2000 Senior Mansion Real Property Tax
3124 Abatement Act of 2014".

3125 Sec. 7102. Section 47-4605(d) of the District of Columbia Official Code is amended as
3126 follows:

3127 (a) Paragraph (2) is amended by striking the number "16".

3128 (b) Paragraph (3) is repealed.

3129 **SUBTITLE K. RESIDENTIAL REAL PROPERTY EQUITY AND**

3130 **TRANSPARENCY AMENDMENT**

3131 Sec. 7111. Short title.

3132 This subtitle may be cited as the "Residential Real Property Equity and Transparency
3133 Revised Amendment Act of 2014".

3134 Sec. 7112. Title 47 of the District of Columbia Official Code is amended as follows:

3135 (a) Chapter 8 is amended as follows:

3136 (1) The table of contents is amended by adding a new section designation to read
3137 as follows:

3138 "47-805. Office of Real Property Tax Ombudsman."

3139 (2) Section 47-802(5) is amended as follows:

3140 (A) Subparagraph (D) is amended by striking the word "or" at the end.

3141 (B) Subparagraph (E) is amended by striking the period and inserting the
3142 phrase "; or" in its place.

3143 (C) A new subparagraph (F) is added to read as follows:

3144 "(F) For purposes of appealing the assessment of real property sold under
3145 § 47-1353(b), the tax sale purchaser or the purchaser's assignee, as applicable; provided, that the
3146 Mayor shall not be required to mail notices or bills issued under this chapter to the tax sale
3147 purchaser or assignee; provided further, that the owner of record is not appealing the assessment
3148 for the same tax year."

3149 (3) A new section 47-805 is added to read as follows:

3150 "§ 47-805. Office of Real Property Tax Ombudsman.

3151 "(a) There is created within the Office of the Mayor the Office of the Real Property Tax
3152 Ombudsman ("Office"), which shall be headed by the Real Property Tax Ombudsman
3153 ("Ombudsman") who shall be appointed by the Mayor pursuant to section 2(a) of the
3154 Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-
3155 523.01(a)), as a statutory employee in the Excepted Service pursuant to section 908 of the
3156 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
3157 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08). The Ombudsman shall serve for a
3158 term of 5 years. The Ombudsman shall serve at the pleasure of the Mayor.

3159 "(b) The Ombudsman shall appoint staff and additional personnel as provided for in an
3160 approved budget and financial plan for the District.

3161 "(c) The Ombudsman shall:

3162 "(1) Consult with and advise Class 1 real property owners on any real property tax
3163 matter arising under Chapter 8 or 13A of this title or under An Act To provide for the abatement
3164 of nuisances in the District of Columbia by the Commissioners of said District, and for other
3165 purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 et seq.);

3166 "(2) Receive and investigate concerns and complaints from Class 1 real property
3167 owners related to real property tax matters;

3168 "(3) Provide counsel and assistance to Class 1 real property owners relating to real
3169 property taxes, including referring Class 1 real property owners to appropriate:

3170 "(A) Legal service providers;

3171 "(B) Public interest organizations; and

3172 "(C) Government offices.

3173 "(4) Maintain a list of organizations that provide free or reduced-price legal
3174 services to District of Columbia residents and a list of housing counseling agencies approved by
3175 the U.S. Department of Housing and Urban Development;

3176 "(5) Protect the confidentiality of records and comply with all applicable
3177 confidentiality provisions, including § 47-821(d)(2); and

3178 "(6) Prepare and submit to the Council and the Mayor an annual report on the
3179 activities of the Office. The Mayor shall make the report available to the public on the Mayor's
3180 website.

3181 "(d) The Ombudsman may assist an owner with matters concerning an abutting lot where
3182 the abutting lot and the Class 1 property are owned by the same owner.

3183 "(e) The Ombudsman shall not appear on behalf of Class 1 real property owners in any
3184 court, administrative, or quasi-judicial proceeding.

3185 "(f) The Office of the Chief Financial Officer may share confidential tax information with
3186 the Ombudsman.

3187 "(g) For purposes of this section, the term "Class 1 real property owner" shall have the
3188 same meaning as contained in § 47-813(c-3)(1); provided, that the term owner as used in § 47-
3189 813(c-3)(1) shall be construed broadly and include the persons defined as owners in § 47-802 as
3190 well as other persons with an equitable interest in the property, and any other persons the
3191 Ombudsman determines to be appropriate representatives of the property owner (or, if
3192 applicable, the property owner's estate), or any other persons the Ombudsman determines to be
3193 consistent with the purposes of this section."

3194 (4)(A) Section 47-811(c) is amended by striking the phrase "plus interest on the
3195 unpaid amount at the rate of 1½%" and inserting the phrase "plus simple interest on the unpaid
3196 amount at the rate of 1%" in its place.

3197 (B)(i) This paragraph shall apply upon its fiscal effect being included in an
3198 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget
3199 Director of the Council in a certification published by the Council in the District of Columbia
3200 Register.

3201 (ii) Subject to sub-subparagraph (i) of this subparagraph, this
3202 paragraph shall apply beginning October 1, 2014.

3203 (5) Section 47-845.03 is amended as follows:

3204 (A) Subsection (c) is amended to read as follows:

3205 "(c) Taxes deferred under this section shall bear simple interest at the rate of ½% per
3206 month or portion of a month until paid."

3207 (B) Subsection (g) is amended to read as follows:

3208 "(g) If a properly completed and approved application is filed, the applicant may choose
3209 to have the deferral apply to past years; provided, that the amount deferred shall comply with
3210 subsection (d) of this section and the periods of applicability are stated in the application;
3211 provided further, that the applicant is responsible for accrued attorneys' fees."

3212 (C) Subsection (p) is repealed.

3213 (D) Subparagraphs (A) and (B) of this paragraph shall apply upon its fiscal
3214 effect being included in an approved budget and financial plan, as certified by the Chief
3215 Financial Officer to the Budget Director of the Council in a certification published by the
3216 Council in the District of Columbia Register.

3217 (6) Section 47-895.31(8) is amended to read as follows:

3218 "(8) "Lot" means real property as defined in § 47-802(1) where such real property
3219 for billing and collection purposes under this subchapter shall be further described with the
3220 letters "PC" preceding the sequence of square, suffix and lot, or parcel and lot, numbers under §
3221 47-802(1).".

3222 (7) Section 47-895.33 is amended by adding a new subsection (b-1) to read as
3223 follows:

3224 "(b-1) A notice, bill, or other correspondence under this subchapter or § 47-1336 shall be
3225 mailed to the owner's specifically designated mailing address as provided in the energy
3226 efficiency loan closing documents and as may be updated from time to time by the Chief
3227 Financial Officer, which may be different from the general mailing address provided pursuant to
3228 § 42-405, or as provided in the transfer and recordation tax return.".

3229 (b) Section 47-902 is amended by adding a new paragraph (26) to read as follows:

3230 "(26) Transfers of property transferred to a named beneficiary of a revocable
3231 transfer on death deed under subchapter IV of Chapter 6 of Title 19, by reason of the death of the
3232 grantor of the revocable transfer on death deed.".

3233 (c) Chapter 13A is amended as follows:

3234 (1) The table of contents is amended as follows:

3235 (A) A new section designation is added to read as follows:

3236 "47-1353.01. Post-sale notice.".

3237 (B) A new section designation is added to read as follows:

3238 "47-1382.01. Equity distribution post-judgment – owner-occupant properties.".

3239 (C) A new section designation is added to read as follows:

3240 "47-1390. Office of Real Property Tax Sale Review."

3241 (2) Section 47-1330 is amended as follows:

3242 (A) Paragraph (2) is amended to read as follows:

3243 "(2) "Tax" means unpaid real property tax and vault rent owing as of October 1,
3244 and unpaid business improvement district tax owing as of September 1, including penalties,
3245 interest, and costs, as calculated by the Mayor. The term "tax" includes an assessment or charge
3246 due at any time to the District and certified to the Mayor for collection under this chapter in the
3247 same manner as a real property tax, along with permitted penalties, interest, and costs, as
3248 calculated by the Mayor."

3249 (B) A new paragraph (2A) is added to read as follows:

3250 "(2A) "Tax sale date" or "date of the tax sale" means for purposes of the tax sale
3251 held under § 47-1346 the date when the tax sale during which the real property was sold
3252 concluded."

3253 (C) A new paragraph (4A) is added to read as follows:

3254 "(4A) "Premises address" means the address, if any, for the square, suffix, and lot
3255 numbers, or parcel and lot numbers, of real property as reflected in the records in the Office of
3256 Tax and Revenue."

3257 (3) Section 47-1332 is amended to read as follows:

3258 "§ 47-1332. Sale of properties by Mayor; exemptions from sale.

3259 "(a) Except as provided in subsections (c) and (d) of this section or as provided in other
3260 law, the Mayor shall sell all real property on which the tax is in arrears.

3261 "(b) The Mayor shall designate a single agency to conduct tax sales.

3262 "(c) The Mayor shall not sell any real property if:

3263 "(1) A forbearance authorization has been approved in writing by the Mayor for
3264 the applicable tax sale;

3265 "(2) For improved Class 1 Property, the tax amount to be sold is less than \$2,500;
3266 or

3267 "(3) The real property is a Class 1 Property that is receiving a homestead
3268 deduction, with respect to which there is an outstanding non-void certificate of sale; provided,
3269 that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void
3270 certificate of sale has been outstanding for 3 years or more.

3271 "(d) The Mayor, in the Mayor's discretion, may decline to sell any Class 1 Property or
3272 any real property for a delinquency in the payment of a non-real property tax that does not have
3273 to be certified.

3274 "(e)(1) An application for a forbearance authorization, utilizing the form of application as
3275 shall be devised by the Mayor, may be submitted to the Mayor up to 30 days before the first day
3276 of the tax sale.

3277 "(2) The Mayor shall review and approve or deny the application within 90 days
3278 of receipt of the application.

3279 "(3) The Mayor shall approve an application if the real property receives a
3280 homestead deduction and the tax amount to be sold is less than or equal to \$7,500. The Mayor
3281 may, in the Mayor's discretion, approve an application that does not meet the above criteria for
3282 demonstrated hardship.

3283 "(4) Upon approving an application for forbearance authorization, the Mayor shall
3284 remove the real property from the tax sale to which the forbearance corresponds or, if the tax sale
3285 has occurred with respect to the real property, cancel the tax sale pursuant to § 47-1366."

3286 (4)(A) Section 47-1334 is amended to read as follows:

3287 "§ 47-1334. Interest rate.

3288 "(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or
3289 bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid,
3290 excluding surplus; provided, that beginning October 1, 2014, the rate of simple interest shall be
3291 1% per month or portion thereof; provided further, that interest on the amount sold at tax sale,

3292 excluding surplus, shall accrue at the applicable interest rate beginning the first day of the month
3293 following the tax sale. No interest shall accrue for surplus, expenses, or the reasonable value of
3294 improvements.

3295 "(b) The purchaser shall receive simple interest of 1% per month or portion thereof on the
3296 amount paid for the real property, excluding surplus, beginning on the first day of the month
3297 immediately following when the real property was sold or the certificate of sale was assigned by
3298 the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another
3299 purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in §
3300 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no
3301 interest for expenses or the reasonable value of improvements.

3302 "(c) Subsection (a) of this section shall apply upon its fiscal effect being included in an
3303 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget
3304 Director of the Council in a certification published by the Council in the District of Columbia
3305 Register."

3306 (5) Section 47-1336 is amended as follows:

3307 (A) Subsection (a) is amended by adding the following sentence at the
3308 end:

3309 "The special assessment shall be collectible under this chapter notwithstanding any
3310 provision to the contrary granting a tax exemption, and the real property formerly described
3311 under § 47-895.31(8) shall revert back to its description under § 47-802(1) for purposes of
3312 collection under this chapter."

3313 (B) Subsection (b)(2) is amended as follows:

3314 (i) Strike the word "transaction" and insert the word "sale" in its
3315 place.

3316 (ii) Strike the phrase "§§ 47-1341 and 47-1342" and insert the
3317 phrase "§§ 47-1341, 47-1342, and 47-1353.01" in its place.

3318 (C) Subsection (e) is amended as follows:

3319 (i) Paragraph (1) is amended by striking the phrase "contrary," and
3320 inserting the phrase "contrary, provisions in this section excepted," in its place.

3321 (ii) Paragraph (2) is amended as follows:

3322 (I) The lead-in language is amended by striking the phrase
3323 "record owner" and inserting the phrase "record owner at the mailing address provided in § 47-
3324 895.33(b-1)" in its place.

3325 (II) Subparagraph (C) is amended by striking the word
3326 "and".

3327 (III) Subparagraph (D) is amended to read as follows:

3328 "(D) Once the complaint is filed, expenses under § 47-1377 shall be owed;
3329 and".

3330 (IV) A new subparagraph (E) is added to read as follows:

3331 "(E) The real property described under § 47-895.31(8) and billed as such
3332 (with account number) for purposes of subchapter IX of Chapter 8 of this title and the correlating
3333 description under § 47-802(1) (with square, suffix, and lot numbers, or parcel and lot numbers,
3334 as applicable) is under which the complaint shall be filed."

3335 (6) Section 47-1340 is amended as follows:

3336 (A) Subsection (a) is amended as follows:

3337 (i) Strike the phrase "Each of the taxing" and insert the phrase
3338 "Subject to the limitation set forth in § 34-2407.02, each of the taxing" in its place.

3339 (ii) Strike the phrase "notice of delinquency required by §47-1341"
3340 and insert the phrase "notices required by § 47-1341 and § 47-1353.01" in its place."

3341 (B) Subsection (c) is amended to read as follows:

3342 "(c) If a taxing agency does not certify a tax that is due to the District as of the date of the
3343 Mayor's notice under subsection (a) of this section, the tax shall not be collected through such tax
3344 sale."

3345 (C) Subsection (d) is amended by striking the phrase "Unpaid real
3346 property taxes" and inserting the phrase "Unpaid real property taxes, business improvement
3347 district taxes, and vault rents" in its place.

3348 (D) Subsection (f) is amended to read as follows:

3349 "(f)(1) If a taxing agency certifies taxes (for which real property is offered for sale) to the
3350 Mayor under subsection (a) of this section, and the payment of taxes to the Mayor as specified in
3351 § 47-1361(a) or by a purchaser under § 47-1382(c) has occurred for the real property, or the
3352 amount in the notices under § 47-1341 is paid before the tax sale, the taxing agency may submit
3353 an accounting to the designated agency under § 47-1332(b) in the form that the Mayor requires.

3354 "(2) Upon receipt of the accounting and verification of the payment of taxes to the
3355 Mayor as specified in § 47-1361(a) or if payment to the Mayor is made by a purchaser under §
3356 47-1382(c), or the amount in the notices under § 47-1341 is paid before the tax sale, the amount
3357 of taxes collected that are not imposed under Chapter 8 of this title shall be disbursed regardless
3358 of lien priority from the General Fund for the purpose designated by, and in accordance with, the
3359 law creating the obligation for such taxes; provided, that, in the case of a sale under § 47-
3360 1353(b), the disbursement shall be limited to the amount available after application of lien
3361 priorities to such taxes before certification."

3362 (7) Section 47-1341 is amended as follows:

3363 (A) Subsection (a) is amended to read as follows:

3364 "(a)(1) On or before May 1, the Mayor shall send a notice of tax delinquency by first
3365 class mail, postage prepaid, bearing a postmark from the United States Postal Service, to the
3366 person who last appears as the owner of the real property on the tax roll, at the last mailing
3367 address shown on the tax roll, as updated by the filing of a change of address in accordance with
3368 section 499d of An Act To Establish A Code of Law for the District of Columbia, effective
3369 October 23, 1997 (D.C. Law 12-34; D.C. Official Code § 42-405). If the premises address is
3370 different from the address of record of the owner, the Mayor shall send a duplicate copy of the
3371 notice to the premises address, addressed to "Property Owner."

3372 "(2) The notice required pursuant to paragraph (1) of this subsection shall be in
3373 substantively the following form:

3374 "THIS IS A NOTICE OF DELINQUENCY

3375 "FAILURE TO PAY TAXES WILL HAVE SERIOUS CONSEQUENCES

3376

3377

3378 "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number,
3379 and by premises address, the real property to be sold]

3380 Total Amount Due on the Account: \$.....

3381

3382 "TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by May 31, 20__)

3383

3384 "This amount may include fees or fines due to other DC agencies that have been certified to the
3385 Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

3386

3387 "According to the Mayor's tax roll, you own or may have an interest in the real property listed
3388 above. Notice is given that unless you pay the amount stated above or fall within one of the
3389 limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property
3390 at tax sale.

3391

3392 "If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose
3393 on the property.

3394

3395 "You must act now to avoid additional costs and significant expenses.

3396

3397 "If payment is not made before May 31, 20__, the amount listed on this notice may no longer be
3398 accurate. In that case, you must contact the Office of Tax and Revenue at to obtain
3399 an updated payoff amount.

3400 "Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com or at
3401 any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the
3402 Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC
3403 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a
3404 copy of your proof of payment in case there is a later dispute about the payment.

3405

3406 "YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP
3407 FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR
3408 ADDITIONAL INFORMATION.

3409

3410 "Should you have additional questions, please call the Customer Service Center for the Office of
3411 Tax and Revenue at (202) 727-4TAX (4829).

3412

3413 "RESOURCES FOR REAL PROPERTY TAXPAYERS
3414 IN THE DISTRICT OF COLUMBIA

3415

3416 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for
3417 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
3418 related property tax matters, contact the Real Property Tax Ombudsman at

3419 "Office of Tax Sale Review. If there are special circumstances that should keep the real property
3420 out of the upcoming sale, contact the Office of Tax Sale Review at for information
3421 on how to petition the Mayor to exempt the real property from sale.

3422 "Classification Disputes. If your real property is classified as vacant or blighted and you believe
3423 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department

3424 of Consumer and Regulatory Affairs at for information on how to appeal the property
3425 classification.

3426 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due
3427 amount. For information on how to apply for this deferral, please contact the Office of Tax and
3428 Revenue at.....

3429 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may
3430 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
3431 please contact the Office of Tax and Revenue at..... for more information.

3432 "Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers
3433 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am
3434 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
3435 at 500 Indiana Ave. NW.

3436 "Additional Legal Services. Free and reduced-cost legal services may be available to low- and
3437 moderate-income households. You can get a list of service providers from the Real Property Tax
3438 Ombudsman (above).

3439 "Housing Counseling Services. The U.S Department of Housing and Urban Development
3440 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice
3441 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
3442 approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

3443 (B) A new subsection (b-1) is added to read as follows:

3444 "(b-1)(1) At least 2 weeks before real property is offered at a tax sale under this chapter, the
3445 Mayor shall send a final notice of delinquency, by first class mail, postage prepaid, bearing a
3446 postmark from the United States Postal Service, to the person who last appears as the owner of
3447 the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing
3448 of a change of address in accordance with § 42-405. If the premises address is different from the
3449 address of record of the owner, the Mayor shall send a duplicate copy of the notice to the
3450 premises address, addressed to "Property Owner."

3451 "(2) The notice required pursuant to paragraph (1) of this subsection shall be in
3452 substantively the following form:

3453 "THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY
3454 MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO
3455 THE PROPERTY

3456 "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number,
3457 and by premises address, the real property to be sold]

3458 "Total Amount Due on the Account: \$.....

3459

3460 "TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by [Last Business Day
3461 before tax sale]

3462

3463 "This amount may include fees or fines due to other District agencies that have been certified to
3464 the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Official Code § 47-
3465 1340.

3466

3467 "According to the Mayor's tax roll, you own or may have an interest in the real property listed
3468 above. Notice is given that unless you pay the amount stated above or fall within one of the
3469 limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property
3470 at tax sale.

3471

3472 "If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose
3473 on the property. You must act now to avoid additional costs and significant expenses, as well as
3474 potential loss of title to the property.

3475

3476 "Payment to the "DC Treasurer" may be made online at www.taxpayerservicecenter.com, at any
3477 District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the

3478 Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC
3479 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a
3480 copy of your proof of payment in case there is a later dispute about the payment.

3481 "If payment is made less than 10 calendar days before [the last business day before tax sale], you
3482 must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure
3483 that your property is removed from the tax sale.

3484 • "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or
3485 HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer
3486 Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

3487 • "Do not mail your paid receipt.

3488 "YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP
3489 FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR
3490 ADDITIONAL INFORMATION.

3491

3492 "Should you have additional questions, please call the Customer Service Center for the Office of
3493 Tax and Revenue at (202) 727-4TAX (4829).

3494

3495 "RESOURCES FOR REAL PROPERTY TAXPAYERS
3496 IN THE DISTRICT OF COLUMBIA

3497

3498 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for
3499 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
3500 related property tax matters, contact the Real Property Tax Ombudsman at

3501 "Office of Tax Sale Review. If there are special circumstances that should keep the real property
3502 out of the upcoming sale, contact the Office of Tax Sale Review at for information
3503 on how to petition the Mayor to exempt the real property from sale.

3504 "Classification Disputes. If your real property is classified as vacant or blighted and you believe
3505 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
3506 of Consumer and Regulatory Affairs at for information on how to appeal the property
3507 classification.

3508 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due
3509 amount. For information on how to apply for this deferral, please contact the Office of Tax and
3510 Revenue at.....

3511 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may
3512 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
3513 please contact the Office of Tax and Revenue at..... for more information.

3514 "Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers
3515 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am
3516 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
3517 at 500 Indiana Ave. NW.

3518 "Additional Legal Services. Free and reduced-cost legal services may be available to low- and
3519 moderate-income households. You can get a list of service providers from the Real Property Tax
3520 Ombudsman (above).

3521 "Housing Counseling Services. The U.S Department of Housing and Urban Development
3522 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice
3523 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
3524 approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

3525 (C) Subsection (b) is amended by striking the phrase "Failure of the
3526 Mayor to mail the notice of delinquency as provided in subsection (a) of this section, or to
3527 include" and inserting the phrase "Subject to the Mayor's authority to cancel the sale under § 47-
3528 1366(b)(3)(A) and (B), the failure of the Mayor to mail the notices of delinquency as provided in
3529 subsections (a) and (b-1) of this section, or to include" in its place.

3530 (D) A new subsection (d) is added to read as follows:

3531 "(d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt
3532 from the notice requirements of this section."

3533 (8) Section 47-1342 is amended as follows:

3534 (A) Subsection (a) is amended to read as follows:

3535 "(a) At any time after 30 days from the mailing of the notice of delinquency required by
3536 § 47-1341(a), the Mayor shall, simultaneously:

3537 "(1) Cause to be advertised, at least once in not less than 2 newspapers of general
3538 circulation in the District that are published at least once every 2 weeks, a public notice stating
3539 that listed real property will be sold at public auction because of taxes on the date and at the
3540 place named in the public notice; and

3541 "(2) Post the list of real property in the public notice on the Office of Tax and
3542 Revenue's website."

3543 (B) Subsection (b)(1)(A) is amended by striking the phrase "by taxation
3544 square," and inserting the phrase "by premises address, taxation square," in its place.

3545 (C) A new subsection (d) is added to read as follows:

3546 (d) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from
3547 the notice requirements of this section."

3548 (9) Section 47-1343 is amended to read as follows:

3549 § 47-1343. Real property to be sold in its entirety.

3550 "Subject to § 47-1345, each real property for sale shall be sold in its entirety, which shall
3551 be the parcel of real property as assessed in the assessment records under § 47-802(1) or as
3552 described under or § 47-47-895.31(8) as related to a sale under § 47-1336."

3553 (10) Section 47-1345 is amended to read as follows:

3554 "§ 47-1345. Sale of real property subject to possessory interest.

3555 "(a) Whether or not any real property subject to sale under this chapter is subject to an
3556 estate for life, or a lease or ground rent for a term (with renewals) that is at least 30 years, the
3557 Mayor shall sell the entire fee simple estate; provided, that after the judgment of foreclosure of

3558 the right of redemption, no claim for rent unpaid, due, or accruing before the date of the
3559 judgment of foreclosure of the right of redemption shall be made by the purchaser (or assignee).

3560 "(b) Notwithstanding subsection (a) of this section or any other provision to the contrary,
3561 when a real property subject to sale under this chapter is subject to a ground lease and the ground
3562 lessor is the District of Columbia, or an instrumentality of the District, the Washington
3563 Metropolitan Area Transit Authority, or an entity whose real property is exempt from real
3564 property taxation or the enforced collection thereof under the laws of the United States of
3565 America, the Mayor shall sell the real property's improvements only. Any additional
3566 representation related to what is being sold shall be ineffectual and shall not affect the validity of
3567 the sale.

3568 "(c) The termination of claims on real property sold under this section shall not foreclose
3569 any personal claims against previous holders of the interest sold for any damages including rent
3570 unpaid, due, or accruing before the date of the judgment of foreclosure."

3571 (11) Section 47-1346(a)(5) is amended to read as follows:

3572 "(5)(A) A potential purchaser, including a natural person or business entity, who
3573 is delinquent in payment of taxes to the District or who has been convicted of a felony involving
3574 fraud, deceit, moral turpitude, or anti-competitive behavior may not bid on real property offered
3575 at a sale held under this chapter or otherwise acquire an interest in real property sold under this
3576 chapter.

3577 "(B) A potential purchaser, including a natural person or business entity,
3578 shall certify under oath, subject to the penalties of perjury, that the potential purchaser is not
3579 more than one year in arrears in any jurisdiction in payment of taxes not being contested in good
3580 faith and has not been convicted in any jurisdiction of a felony involving fraud, deceit, moral
3581 turpitude, or anti-competitive behavior.

3582 "(C) A certificate of sale held by a purchaser that willfully and materially
3583 violates the provisions of this paragraph shall be voidable at the discretion of the Mayor;
3584 provided, that after the issuance of a final order by the Superior Court of the District of Columbia

3585 foreclosing the right of redemption, the certificate is no longer voidable. A certificate that is
3586 voided by the Mayor pursuant to this subparagraph shall be subject to the provisions of § 47-
3587 1355(b).

3588 "(D) The intent of this paragraph shall not be circumvented by a purchaser
3589 through the use of one or more business entities to avoid its intended application.

3590 "(E) For the purposes of this paragraph, a potential purchaser shall include
3591 a person owning a 10% or more equity interest in, or an officer of, an entity that owns a 10% or
3592 more equity interest in real property on which taxes are delinquent."

3593 (12) Section 47-1348 is amended as follows:

3594 (A) Subsection (a) is amended as follows:

3595 (i) Paragraph (3) is amended by striking the phrase "date of the
3596 original public tax sale" and inserting the phrase "date of the tax sale" in its place.

3597 (ii) Paragraph (4) is amended by striking the phrase "purchaser;"
3598 and inserting the phrase "purchaser, which shall be the same date as in paragraph (3) of this
3599 subsection, if the purchaser purchased the real property at the tax sale held under § 47-1346;" in
3600 its place.

3601 (iii) Paragraph (10) is amended to read as follows:

3602 "(10)(A) A statement that the rate of simple interest, upon redemption, shall be
3603 1% per month or portion thereof on the amount paid for the real property, excluding surplus,
3604 beginning on the first day of the month immediately following the date of the tax sale or the date
3605 when the certificate of sale was assigned by the Mayor.

3606 "(B) This paragraph shall apply upon its fiscal effect being included in an
3607 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget
3608 Director of the Council in a certification published by the Council in the District of Columbia
3609 Register."

3610 (B) Subsection (b) is repealed.

3611 (C)(i) Subsection (c) is amended as follows:

3612 (I) Strike the phrase "telephone number." and insert the
3613 phrase "telephone number. If notice is not provided within 30 days of the assignment, the
3614 certificate shall be voidable at the discretion of the Mayor." in its place.

3615 (II) Strike the phrase "On redemption, the purchaser will be
3616 refunded the sums paid on account of the purchase price, together with interest thereon at the rate
3617 of 18% per annum from the date the real property was sold to the date of redemption; provided,
3618 that the purchaser shall not receive interest on any surplus." and insert the phrase "Upon payment
3619 to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor is made by another
3620 purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid on account of the
3621 purchase price, together with simple interest thereon at the rate of 1% per month or portion
3622 thereof on the amount paid for the real property, excluding surplus, beginning on the first day of
3623 the month immediately following the date of the tax sale or the date when the certificate of sale
3624 was assigned by the Mayor until the payment to the Mayor is made as required under § 47-
3625 1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any surplus."
3626 in its place.

3627 (ii) This subparagraph shall apply upon its fiscal effect being
3628 included in an approved budget and financial plan, as certified by the Chief Financial Officer to
3629 the Budget Director of the Council in a certification published by the Council in the District of
3630 Columbia Register.

3631 (13) Section 47-1349(c) is amended by adding the following sentence at the end:

3632 "If notice is not provided within 30 days of the assignment, the certificate shall be
3633 voidable at the discretion of the Mayor; provided, that after the issuance of a final order by the
3634 Superior Court of the District of Columbia foreclosing the right of redemption, the certificate
3635 shall no longer be voidable. A certificate that is voided by the Mayor pursuant to this subsection
3636 shall be subject to the provisions of § 47-1355(b).".

3637 (14) Section 47-1352(a), is amended by striking the phrase "from the date the real
3638 property was bid off," and inserting the phrase "thereon accruing from the first day of the month
3639 following the date of the tax sale where the real property was bid off," in its place.

3640 (15) Section 47-1353 is amended as follows:

3641 (A) Subsection (a)(1)(B) is amended by striking the word "May" both
3642 times it appears and inserting the word "Mayor" in its place.

3643 (B) Subsection (b)(1)(G) is amended by striking the phrase "by square,"
3644 and inserting the phrase "by premises address, taxation square," in its place.

3645 (C) Subsection (c)(2) is amended by striking the phrase "date of the
3646 original tax sale" and inserting the phrase "applicable date of the tax sale" in its place.

3647 (D) Subsection (d) is amended to read as follows:

3648 "(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor
3649 is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the
3650 sums paid on account of the purchase price, together with simple interest thereon at the rate of
3651 1% per month or portion thereof on the amount paid for the real property, excluding surplus,
3652 beginning on the first day of the month immediately following the day of the tax sale to the
3653 purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to
3654 the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser
3655 shall not receive interest on any surplus."

3656 (16)(A) A new section 47-1353.01 is added to read as follows:

3657 "§ 47-1353.01. Post-sale notice.

3658 "(a) Within 30 days after the date of the tax sale, the Mayor shall send notice of the sale
3659 by first class mail, postage prepaid, bearing a postmark from the United States Postal Service to
3660 the last known address of the owner. If the premises address is different from the address of
3661 record of the owner, the Mayor shall send a duplicate copy of the notice to the premises address,
3662 addressed to "Property Owner."

3663 "(b) The notice required pursuant to subsection (a) of this section shall be in substantively
3664 the following form:

3665

3666 "ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

3667 "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number,
3668 and by premises address]

3669 "Tax Sale Date: [July __, 20__]

3670 "

3671

3672

3673

3674

3675 "According to the Mayor's tax roll, you own or may have an interest in the real property listed
3676 above. Please follow the below instructions to redeem your property from tax sale and prevent a
3677 foreclosure lawsuit.

3678 • "To redeem your property from the tax sale, you must pay all taxes owed, as well as any
3679 legal fees and expenses that may become due.

3680 • "A tax bill is mailed to you during the last week of August. You should pay the bill in full
3681 and on time.

3682 • "If you are receiving this notice after October 31, 20__, or if you have not already paid
3683 your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at for a
3684 current tax bill and up-to-date payoff amount.

3685 • "After you have paid your taxes, you should call OTR to confirm that you have redeemed
3686 your property. Keep a copy of your proof of payment in case there is a later dispute about the
3687 payment.

3688 • "If you have not paid all taxes within four months after the Tax Sale Date stated above,
3689 an additional \$381.50 may be added to reimburse the purchaser for some costs.

3690 • "If you do not redeem the property within six months of the Tax Sale Date stated above,
3691 the tax sale purchaser may file a lawsuit against you to obtain title to the property.

3692 • "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees and
3693 expenses that may total thousands of dollars. You may also lose title to the property.

3694 • "For further information on how to redeem, please read our Real Property Owner's Guide
3695 to the Tax Sale Redemption Process, available on our Web site at
3696 www.taxpayerservicecenter.com by clicking on "Real Property." You may also request a copy by
3697 visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W,
3698 Washington, DC 20024.

3699 "YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE. SEE
3700 THE NEXT PAGE FOR MORE INFORMATION.

3701

3702 "Should you have additional questions, please call OTR's Customer Service Center at (202) 727-
3703 4TAX (4829).

3704

3705 "RESOURCES FOR REAL PROPERTY TAXPAYERS
3706 IN THE DISTRICT OF COLUMBIA

3707

3708 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for
3709 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
3710 related property tax matters, contact the Real Property Tax Ombudsman at

3711 "Office of Tax Sale Review. If there are special circumstances that should have kept the real
3712 property from being included in the tax sale, contact the Office of Tax Sale Review at
3713 for information on how to petition the Mayor to cancel the sale.

3714 "Classification Disputes. If your real property is classified as vacant or blighted and you believe
3715 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department

3716 of Consumer and Regulatory Affairs at for information on how to appeal the property
3717 classification.

3718 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due
3719 amount. For information on how to apply for this deferral, please contact the Office of Tax and
3720 Revenue at.....

3721 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may
3722 have additional rights to defer property taxes. If think you may be eligible for this tax relief,
3723 please contact the Office of Tax and Revenue at..... for more information.

3724 "Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers
3725 and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am
3726 to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse
3727 at 500 Indiana Ave., NW.

3728 "Additional Legal Services. Free and reduced-cost legal services may be available to low- and
3729 moderate-income households. You can get a list of service providers from the Real Property Tax
3730 Ombudsman (above).

3731 "Housing Counseling Services. The U.S Department of Housing and Urban Development
3732 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice
3733 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
3734 approved housing counseling agencies from the Real Property Tax Ombudsman (above).

3735 "(c) The tax sale purchaser shall cause a copy of the notice referred to in subsection (b) of this
3736 section to be posted on a place on the premises of the real property where it may be conveniently
3737 read. The copy of the notice shall be posted no sooner than 4 months after the date of the tax sale
3738 but at least 45 days before the filing of a complaint under § 47-1370.

3739 "(d) Subject to the Mayor's authority to cancel the sale under § 47-1366(b)(3)(A) and (B), the
3740 failure of the Mayor to mail the notice as provided in subsections (a) and (b) of this section, or to
3741 include any tax amounts in the notice, shall not:

3742 "(1) Invalidate or otherwise affect a tax;

3743 "(2) Invalidate or otherwise affect a sale made under this chapter to enforce payment of taxes;

3744 "(3) Prevent or stay any proceedings under this chapter; or

3745 "(4) Affect the title of a purchaser.

3746 "(e) Action taken under § 47-1336, relating to energy efficient loans, shall be exempt from the

3747 notice requirements of this section."

3748 (B) This paragraph shall apply upon its fiscal effect being included in an approved

3749 budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of

3750 the Council in a certification published by the Council in the District of Columbia Register.

3751 (17) Section 47-1354(b) is amended to read as follows:

3752 "(b) Upon payment as specified in § 47-1361(a) or by another purchaser under § 47-

3753 1382(c), the purchaser shall receive a refund of its payment made under this section, with interest

3754 as required to be paid by the redeemer or the other purchaser. The purchaser shall receive interest

3755 only on the principal tax amount paid and not on the interest or penalties paid. The purchaser is

3756 entitled to the refund only if the purchaser's certificate of sale is not void and the purchaser

3757 provides proof satisfactory to the Mayor that the purchaser made the payment.

3758 (18) Section 47-1355(a)(2) is repealed.

3759 (19) Section 47-1361 is amended as follows:

3760 (A) Subsection (a) is amended as follows:

3761 (i) The lead-in text is amended by striking the phrase "the Mayor, for deposit" and

3762 inserting the phrase "the Mayor, except as set forth in paragraph (6A) of this subsection, for

3763 deposit" in its place.

3764 (ii) Paragraphs (2) and (3) are amended to read as follows:

3765 "(2) If the real property was bid off to the District, the sale amount with interest

3766 thereon beginning on the first day of the month following the date of the tax sale where the real

3767 property was bid off;

3768 "(3) If the real property was bid off to the District and subsequently sold or the certificate of sale

3769 assigned to a purchaser:

3770 "(A) The original sale amount with interest thereon beginning on the first
3771 day of the month following the date of the tax sale where the real property was bid off; plus
3772 "(B) Interest accruing thereafter on the sale amount in subparagraph (A) of
3773 this paragraph from the first day of the month following the date the real property was
3774 subsequently sold or the certificate of sale assigned to the purchaser;"

3775 (iii) Paragraph (4) is amended by striking the phrase "taxes
3776 provided, that the certificate of sale of the purchaser is not void;" and inserting the phrase
3777 "taxes;" in its place.

3778 (iv) Paragraph (5) is amended to read as follows:

3779 "(5) All other real property taxes, business improvement district taxes, and vault
3780 rents to bring the real property current; provided, that any such amounts that become due and
3781 owing after receipt of the payment that permits a refund to issue to the purchaser under
3782 subsection (e) of this section shall not be required to be paid to redeem the real property;"

3783 (v) A new paragraph (5A) is added to read as follows:

3784 "(5A) Any delinquent special assessment owed pursuant to an energy efficiency loan agreement
3785 under subchapter IX of Chapter 8 of Title 47; provided, that any such assessment that becomes
3786 due and owing after receipt of the payment that permits a refund to issue to the purchaser under
3787 subsection (e) of this section shall not be required to be paid to redeem the real property;"

3788 (vi) Paragraph (6) is amended to read as follows:

3789 "(6) All expenses for which each purchaser is entitled to reimbursement under §
3790 47-1377(a)(1); and"

3791 (vii) A new paragraph (6A) is added to read as follows:

3792 "(6A) Where an action to foreclose the right of redemption has been properly
3793 filed, the person redeeming shall pay directly to the applicable purchaser all expenses to which
3794 the purchaser is entitled to reimbursement under § 47-1377(a)(2); and"

3795 (viii) Paragraph (7) is repealed.

3796 (B) New subsections (b-1) and (b-2) are added to read as follows:

3797 "(b-1) The redeeming party shall not be required to pay any tax that is required to be
3798 certified by § 47-1340 unless the tax has been certified by a taxing agency and sold as a lien at a
3799 tax sale.

3800 "(b-2) Notwithstanding subsection (a) of this section, the remaining amounts that are
3801 payable to the Mayor, including tax, interest, penalties, and expenses, for the real property shall
3802 be deemed to have been brought current for purposes of redemption if, at any time, the balance
3803 falls below \$100; provided, that the remaining balance shall remain due and owing and any
3804 remaining expense shall be thereafter deemed a real property tax."

3805 (C) Subsection (c) is amended by striking the second sentence.

3806 (D) Subsection (d) is amended to read as follows:

3807 "(d)(1) Subject to the liability threshold set forth in subsection (b-1) of this section, after
3808 receipt of the payment set forth in subsection (a)(1) through (6) of this section, the Mayor shall
3809 notify the purchaser of the payment. The purchaser shall receive from the Mayor the refund to
3810 which the purchaser is entitled, subject to the purchaser's compliance with all procedures for
3811 issuance of the refund, as may be established by the Mayor.

3812 "(2) If a complaint under § 47-1370 has been properly filed, a purchaser may continue to
3813 prosecute the complaint until receipt of the expenses owed to the purchaser and payable to the
3814 purchaser by the redeeming party as set forth in subsection (a)(6A) of this section, but shall
3815 dismiss the complaint upon receipt thereof.

3816 "(3) A complaint to foreclose the right of redemption shall not be maintained solely to
3817 await the administrative refund under this subsection.

3818 "(4) Notification by the Mayor under this subsection may be accomplished by making the
3819 information publicly available through an electronic medium, including by posting on a
3820 website."

3821 (E)(i) Subsection (e) is amended as follows:

3822 (I) Strike the phrase "Upon request and subject to the payment of a fee," and insert the phrase
3823 "Upon request, within 60 days of the request," in its place.

3824 (II) Add the following sentence at the end:

3825 "The Recorder of Deeds shall waive all fees relating to the recordation of a certificate of
3826 redemption."

3827 (ii) This subparagraph shall apply upon its fiscal effect being included in an approved budget
3828 and financial plan, as certified by the Chief Financial Officer to the Budget Director of the
3829 Council in a certification published by the Council in the District of Columbia Register.

3830 (F) A new subsection (f) is added to read as follows:

3831 "(f) The Mayor may abate interest or penalties or compromise taxes, whether
3832 arising before or after the tax sale, in the same manner as set forth in § 47-811.04; provided, that
3833 the abatement or compromise shall not affect the refund due to the purchaser."

3834 (20) Section 47-1362 is amended as follows:

3835 (A) Subsection (a) is amended by striking the phrase "If the real property is
3836 redeemed after an action to foreclose the right of redemption is filed and there is a dispute
3837 regarding redemption, the" and inserting the phrase "If there is a dispute regarding redemption
3838 after an action to foreclose the right of redemption is filed, the" in its place.

3839 (B) Subsection (c) is repealed.

3840 (21) Section 47-1363(a) is amended by striking the phrase "date of the sale" and
3841 inserting the phrase "date of the tax sale" in its place.

3842 (22) Section 47-1366 is amended to read as follows:

3843 "§ 47-1366. Cancellation of sale by Mayor.

3844 "(a) The Mayor, in the Mayor's discretion, may cancel a sale before the issuance of a final
3845 order by the Superior Court of the District of Columbia foreclosing the right of redemption to
3846 prevent an injustice to the owner or person with an interest in the real property.

3847 "(b) The Mayor shall cancel a sale before the issuance of a final order by the Superior
3848 Court of the District of Columbia foreclosing the right of redemption where:

3849 "(1) The record owner or other interested party timely pays the amount set forth
3850 in the notice of delinquency to avoid the tax sale as required under § 47-1341(a) or otherwise
3851 pays the outstanding taxes before the tax sale;

3852 "(2) The real property meets the qualifications to be exempt from sale under §
3853 47-1332(c);

3854 "(3) In a sale involving Class 1 property with 5 or fewer units that a record owner
3855 (or a person with an interest in the property as heir or beneficiary of the record owner, if the
3856 record owner is deceased) occupies as his or her principal residence, the record owner or other
3857 interested person proves:

3858 "(A) A failure of the Mayor to mail any of the notices required by §§ 47-
3859 1341(a), 47-1341(b), or 47-1353.01; or

3860 "(B) That the mailing address of the person who last appears as the record
3861 owner of the real property on the tax roll, as properly updated by the record owner by the filing
3862 of a change of address with the Office of Tax and Revenue in accordance with § 42-405, was not
3863 correctly or substantively updated by the Office of Tax and Revenue notwithstanding proper
3864 filing; or

3865 "(4) A properly filed application for a forbearance authorization was filed at least
3866 30 days before the sale and was approved within 60 days after the sale.

3867 "(c) Subject to the limitations set forth in § 47-1377(b), (b-1), (c) and (d), if the Mayor
3868 cancels a sale pursuant to this section, the Mayor shall pay to the purchaser the amount that the
3869 purchaser would have received if the real property had been redeemed, but no part of the amount
3870 shall be considered a payment of tax on behalf of the real property. A certificate of redemption,
3871 if necessary, shall be executed and filed by the Mayor with the Recorder of Deeds for no fee."

3872 (23) Section 47-1370 is amended as follows:

3873 (A) Subsection (a) is amended by striking the phrase "date of sale" and inserting
3874 the phrase "date of the tax sale" in its place.

3875 (B) Subsection (c) is amended by adding a new paragraph (4) to read as follows:

3876 "(4) Proof of the posting required under § 47-1353.01 shall be attached to and
3877 made part of the complaint. The posting shall be held to the same standard as the proof of
3878 posting required under § 47-1372(f).".

3879 (C) A new subsection (e) is added to read as follows:

3880 "(e) The purchaser shall immediately notify the Chief Financial Officer and the Real
3881 Property Tax Ombudsman, established by § 47-805, upon the filing of a complaint under this
3882 section.".

3883 (24) Section 47-1371(b) is amended by adding a new paragraph (2A) to read as follows:

3884 "(2A) The plaintiff shall certify to the Superior Court of the District of Columbia,
3885 under penalties of perjury, that a search was conducted for the record owner in bankruptcy
3886 records.".

3887 (25) Section 47-1372(a)(1)(C) is amended by striking the phrase "date of sale" and
3888 inserting the phrase "date of the tax sale" in its place.

3889 (26) Section 47-1374 is amended as follows:

3890 (A) Subsection (c) is amended by striking the third sentence in its entirety.

3891 (B) Subsection (e) is amended to read as follows:

3892 "(e)(1) A final judgment may not be entered earlier than the later of:

3893 "(A) One year following the initial scheduling conference in the
3894 foreclosure action; or

3895 "(B) Four months following the completion of service on the owner and
3896 all parties identified as defendants in § 47-1371.

3897 "(2) Paragraph (1) of this subsection shall not apply to any final judgment in
3898 which all interested parties have disclaimed any interest in the property subject to the judgment
3899 or in a case where a real property was sold under § 47-1353(a)(3) or (b).".

3900 (27) Section 47-1377 is amended as follows:

3901 (A) Subsection (a) is amended to read as follows:

3902 "(a) Except as provided in subsection (b) of this section, upon redemption, a purchaser is
3903 entitled to be reimbursed by the redeeming person for the following expenses incurred in an
3904 action, or in preparation for an action, to foreclose the right of redemption:

3905 "(1) If an action to foreclose the right of redemption has not been filed and the
3906 property is redeemed more than 4 months after the applicable tax sale's tax sale date, the
3907 purchaser may be reimbursed for the following pre-complaint legal expenses:

3908 "(A) The amount of \$50 for any posting required by § 47-1353.01;

3909 "(B) Costs for recording the certificate of sale; and

3910 "(C) The cost of a title search, not to exceed \$300.

3911 "(2) If an action to foreclose the right of redemption has been filed, the purchaser
3912 may also be reimbursed for:

3913 "(A)(i) Reasonable attorneys' fees as follows:

3914 "(I) In a case in which the property is redeemed before the
3915 fifth status hearing, reasonable attorneys' fees not to exceed \$1,500;

3916 "(II) In a case requiring 5 or more status hearings,
3917 reasonable attorneys' fees not to exceed \$1500, plus \$75 for the fifth status hearing and each
3918 additional status hearing thereafter; and

3919 "(III) In a case in which a motion for judgment is filed with
3920 the court, additional attorneys' fees in the amount of \$300.

3921 "(ii) In calculating the number of hearings in a case, any status
3922 hearing held before the redeeming party was served shall be excluded from the calculation.

3923 "(iii) For purposes of this paragraph, an initial scheduling
3924 conference shall be deemed a status hearing.

3925 "(iv) Nothing in this paragraph shall be construed as prohibiting
3926 the purchaser from settling attorneys' fees in a lesser amount than the purchaser may be eligible
3927 for under this section.

3928 "(B) Notwithstanding subparagraph (A) of this paragraph, in cases
3929 requiring prolonged or complex representation not typically necessary to resolve an action filed
3930 under this chapter, including cases in which the purchaser incurs attorneys' fees and expenses
3931 under § 47-1382.01(a), other reasonable attorneys' fees incurred and specifically requested by the
3932 purchaser and approved by the court, on a case by case basis; provided, that additional attorneys'
3933 fees shall not be awarded if a tax sale is cancelled by the Mayor under § 47-1366, or where a
3934 purchaser is required to show good cause under subsection (c) of this section; and

3935 "(C) Expenses actually incurred as follows:

3936 "(i) Filing fee charged by the Superior Court of the District of
3937 Columbia;

3938 "(ii) Service of process fee, including fees incurred attempting to
3939 serve process;

3940 "(iii) If a second title search is conducted more than 6 months after
3941 the initial title search, a title search update fee, not to exceed \$75;

3942 "(iv) Publication fee charged by a newspaper of general circulation
3943 in the District;

3944 "(v) Posting fees;

3945 "(vi) Postage and certified mail costs;

3946 "(vii) Substantial repair order fee, not to exceed the fee charged by
3947 the government agency issuing the certificate of substantial repair; and

3948 "(viii) Any court approved expense for stabilization or conversion
3949 of, or to make safe and compliant with Chapter 31A of title 42, the property under § 47-1363 or
3950 to comply with an action taken against the property by the Mayor in accordance with the
3951 applicable building, fire, health, or safety code."

3952 (B) Subsection (b) is amended to read as follows:

3953 "(b) No purchaser of a certificate of sale shall be reimbursed for expenses incurred within
3954 4 months after the date of the tax sale. A purchaser other than the District shall not be reimbursed
3955 for any expenses if the certificate becomes void under this chapter."

3956 (C) A new subsection (b-1) is added to read as follows:

3957 "(b-1) The purchaser shall not be entitled to be reimbursed for any expenses or attorney's fees not
3958 included in this section. Expenses or attorneys' fees incurred by a purchaser who appeals the
3959 assessment or the vacant status of the property are not reimbursable."

3960 (D) New subsections (c) and (d) are added to read as follows:

3961 "(c) If the purchaser fails to satisfy the requirements for posting under § 47-1353.01 or
3962 fails to provide proof of posting required under § 47-1370(c)(4), the purchaser shall not be
3963 entitled to collect the legal expenses set forth in subsection (a) of this section; provided, that
3964 upon a showing to the Superior Court of the District of Columbia of good cause for the failure to
3965 meet the posting requirements of § 47-1353.01 or § 47-1370(c)(4), the purchaser shall be entitled
3966 to collect those expenses, not to exceed the amounts set forth in subsection (a) of this section,
3967 that the Superior Court of the District of Columbia considers reasonable.

3968 "(d) Notwithstanding subsection (c) of this section, if the tax sale is cancelled by the
3969 Mayor under § 47-1366, the purchaser shall not be entitled to reimbursement of the expenses
3970 permitted under subsection (a)(2) of this section if the purchaser fails to specifically disclose to
3971 the Mayor, at least 45 days before the filing of a complaint to foreclose the right of redemption,
3972 information that is obtained or should have been obtained from the pre-complaint investigation,
3973 including the title examination and review of bankruptcy records under § 47-1371(b)(2) and
3974 (2A), that evidences a violation of § 47-1332(c), a violation of a bankruptcy stay, or errors, as
3975 prescribed by the Mayor through regulation."

3976 (28) Section 47-1380(d) is amended by striking the phrase "the sale." and inserting the
3977 phrase "the sale and the purchaser shall not receive any amounts otherwise due under this
3978 chapter." in its place.

3979 (29) Section 47-1382(a) is amended as follows:

3980 (A) The lead-in text is amended by striking the phrase "A final" and inserting the
3981 phrase "Except as provided in § 47-1382.01, a final" in its place.

3982 (B) Paragraph (1) is amended to read as follows:

3983 "(1) A taxing agency lien that is recorded in the Office of the Recorder of Deeds;"

3984 (C) Paragraph 4 is amended by striking the word "and".

3985 (D) Paragraph (5) is amended by striking the period and inserting the phrase ";
3986 and" in its place.

3987 (E) A new paragraph (6) is added to read as follows:

3988 "(6) A ground lease described in § 47-1345(b), any recorded covenant, agreement, or
3989 other instrument, and any other document incorporated by reference into a recorded covenant,
3990 agreement, or other instrument, to which a ground lessor as described in § 47-1345(b) is a party
3991 or beneficiary."

3992 (30) A new section 47-1382.01 is added to read as follows:

3993 "§ 47-1382.01. Equity distribution post-judgment – owner-occupant properties.

3994 "(a) This section shall apply to any Class 1 property with 5 or fewer units in which a
3995 record owner (or a person with an interest in the property as heir or beneficiary of the record
3996 owner, if deceased), was occupying as his or her principal residence when the complaint to
3997 foreclose the right of redemption was filed. The purchaser shall bear the burden of establishing
3998 that this section is not applicable to the real property.

3999 "(b) Upon issuing a final judgment foreclosing the right of redemption, the Superior
4000 Court of the District of Columbia shall appoint a trustee and shall order that the trustee sell the
4001 property pursuant to Rule 308 of the D.C. Rules of Superior Court, Rules of Civil Procedure, or
4002 its equivalent.

4003 "(c) The trustee shall sell a fee simple interest in the property, subject to the
4004 encumbrances set forth in § 47-1382(a).

4005 "(d) The court shall order the trustee to distribute the proceeds of the sale in priority
4006 order as follows:

4007 "(1) Reasonable compensation and reasonable expenses due to the trustee or to
4008 any other person (including an auctioneer) who provided services relating to the sale of the
4009 property, and all other payments the court deems to have been necessary to effect the sale of the
4010 real property, including recordation and transfer taxes;

4011 "(2) Payment to the Mayor of:

4012 "(A) All amounts payable to the Mayor for deposit into the General Fund
4013 of the District of Columbia under § 47-1361 as of the date of the court's order regarding
4014 distribution;

4015 "(B) Any promissory note executed pursuant to § 47-1353(a)(3); and

4016 "(C) Any lien certified under § 47-1340;

4017 "(3) Payment to the purchaser of all amounts provided for in § 47-1377, as fixed
4018 by the court; and

4019 "(4) Any remaining amounts as follows:

4020 "(A) Ten percent or \$20,000, whichever is less, to the purchaser; and

4021 "(B) The remainder to the person or persons (including when appropriate a
4022 decedent's estate) entitled to the balance, in proper proportion as determined by the trustee, or
4023 when necessary, a court.

4024 "(e)(1) The trustee shall notify the purchaser once payment is made to the Mayor
4025 pursuant to subsection (d)(2) of this section, at which time the purchaser shall surrender the
4026 certificate of sale and receive from the Mayor the amount to which the purchaser would have
4027 been entitled had redemption occurred in accordance with § 47-1361.

4028 "(2) For purposes of calculating the refund due to the purchaser, the date of the
4029 court's order providing for distribution or the sale proceeds in accordance with subsection (d) of
4030 this section shall be deemed the date of redemption.

4031 "(f)(1) If the trustee in the trustee's best judgment determines that a sale of the real
4032 property will not generate proceeds sufficient to fund the distributions required under subsection
4033 (d)(1) and (2) of this section, the trustee shall timely inform the court of that determination.

4034 "(2) Upon receipt of the trustee's determination as described in paragraph (2) of
4035 this subsection, the court shall:

4036 "(A) Rescind the trustee's appointment and the order to sell the real
4037 property;

4038 "(B) Issue a final judgment foreclosing the right of redemption in
4039 accordance with the provisions of § 47-1382; and

4040 "(C) Require the purchaser to pay such fees and expenses of the trustee as
4041 the court determines appropriate."

4042 (31) Section 47-1384 is amended by striking the phrase "Notwithstanding any other law,
4043 the provisions of this chapter" and inserting the phrase "Notwithstanding any other law, if a court
4044 determines that any provision of this chapter is ambiguous, the provision" in its place.

4045 (32)(A) A new section 47-1390 is added to read as follows:

4046 "§ 47-1390. Office of Real Property Tax Sale Review.

4047 "(a)(1) There is created within the Office of the City Administrator of the government of
4048 the District of Columbia an Office of Real Property Tax Sale Review "(Office)". The Office shall
4049 be headed by a Director to be appointed by the Mayor.

4050 "(2) The Director shall appoint staff and additional personnel as provided for in an
4051 approved budget and financial plan for the District.

4052 "(b) The Director shall have the duty to:

4053 "(1) Receive applications from residential real property owners requesting that
4054 owner-occupied real property be withheld from a tax sale under this chapter;

4055 "(2) Receive applications from residential real property owners requesting that a
4056 tax sale of owner-occupied real property be cancelled under § 47-1366;

4057 "(3) Make recommendations to the Mayor as to the disposition of the applications
4058 received by the Office; and

4059 "(4) Prepare and provide to the Council and the Mayor, an annual report setting
4060 forth the activities of the Office. The Mayor shall make the report available to the public on the
4061 Mayor's website.

4062 "(c) For purposes of this section, the term:

4063 "(1) "Owner-occupied real property" shall be real property with 5 dwelling units
4064 or less (as defined in § 47-813(d-3)), be construed broadly and not be limited to property
4065 occupied by persons holding an equitable interest in the real property and property occupied by a
4066 person with a close familial relationship to the record owner. Property receiving the homestead
4067 deduction shall presumptively qualify as owner-occupied real property. The term shall be
4068 inclusive of abutting lots to the real property with common ownership.

4069 "(2) "Residential real property owner" shall be construed broadly and shall not be
4070 limited to persons with an equitable interest in the property, but shall include persons the
4071 Director determines to be appropriate representatives of the property owner (or, if applicable, the
4072 property owner's estate), or any other persons the Director determines to be consistent with the
4073 purposes of this section.

4074 "(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
4075 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), and § 47-
4076 1335 shall issue rules carry out the purposes of this section."

4077 (B) This paragraph shall apply upon its fiscal effect being included in an approved
4078 budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of
4079 the Council in a certification published by the Council in the District of Columbia Register.

4080 Sec. 7113. Conforming amendments.

4081 (a) Section 908 of the District of Columbia Government Comprehensive Merit Personnel
4082 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.08), is
4083 amended as follows:

4084 (1) Paragraph (15) is amended by striking the word "and" at the end.

4085 (2) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in
4086 its place.

4087 (3) A new paragraph (17) is added to read as follows:

4088 "(17) The Real Property Tax Ombudsman of the Office of the Real Property Tax
4089 Ombudsman."

4090 (b)(1) Section 15(f) of the Business Improvement Districts Act of 1996, effective May
4091 29, 1996 (D.C. Law 11–134; D.C. Official Code § 2–1215.15(f)), is amended by striking the
4092 phrase "plus interest on the unpaid amount at the rate of 1 1/2%" and inserting the phrase "plus
4093 simple interest on the unpaid amount at the rate of 1%" in its place.

4094 (2) This section shall apply upon its fiscal effect being included in an approved
4095 budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of
4096 the Council in a certification published by the Council in the District of Columbia Register.

4097 (3) Subject to paragraph (2) of this subsection, this section shall apply beginning
4098 October 1, 2014.

4099 (c) Section 499d of An Act To establish a code of law for the District of Columbia,
4100 effective October 23, 1997 (D.C. Law 12-34; D. C. Official Code § 42-405), is amended to read
4101 as follows:

4102 "Sec. 499d. Notice of address and name change.

4103 "(a) Any owner, as defined under D.C. Official Code § 47-802(5), of real property
4104 entitled to receive notices under Chapter 8 of Title 47 shall notify the Office of Tax and Revenue
4105 of a name change or address change within 30 days.

4106 "(b) Any name change shall be evidenced by the recording of a confirmatory deed with
4107 the Recorder of Deeds and submission of supporting documents with and as required by the
4108 Recorder of Deeds relating to the applicable property.

4109 "(c) Any address change shall be filed with the Office of Tax and Revenue on the form
4110 and in the manner as may be prescribed.

4111 "(d) The Chief Financial Officer may issue rules to implement this section."

4112 (d) Section 302 of the District of Columbia Deed Recordation Tax Act, approved March
4113 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding a new paragraph (33)
4114 to read as follows:

4115 "(33) Deeds to property transferred to a named beneficiary of a revocable
4116 transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective
4117 March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01, et seq.), by reason of the
4118 death of the grantor of the revocable transfer on death deed."

4119 (e) Section 5(4) of An Act To provide for the abatement of nuisances in the District of
4120 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
4121 (D.C. Law 13-281; D.C. Official Code § 42-3131.05(4)), is amended by striking the phrase
4122 "Office of Tax and Revenue" and inserting the phrase "Office of Tax and Revenue, and a tax sale
4123 purchaser under § 47-1353(b) or the purchaser's assignee, as applicable, except where the owner
4124 of record is challenging or appealing the vacant status of the real property for the same period" in
4125 its place.

4126 Sec. 7114. Repealer.

4127 The Residential Real Property Equity and Transparency Amendment Act of 2014, passed
4128 on 2nd reading on May 6, 2014 (Enrolled version of Bill 20-23), is repealed.

4129 **SUBTITLE L. KELSEY GARDENS REDEVELOPMENT**

4130 Sec. 7161. Short title.

4131 This subtitle may be cited as the "Kelsey Gardens Redevelopment Act of 2014".

4132 Sec. 7162. Section 47-4625(a)(2) of the District of Columbia Official Code is amended to
4133 read as follows:

4134 "(2) Contain approximately 13,363 square feet of ground-level retail space; and".

4135 Sec. 7163. Applicability.

4136 Section 7162 shall apply as of December 17, 2009.

4137 **SUBTITLE M. UNDERPAYMENT OF ESTIMATED TAX**

4138 Sec. 7171. Short title.

4139 This subtitle may be cited as the "Underpayment of Estimated Tax Act of 2014".

4140 Sec. 7172. Sections 47-4214 and 47-4215 of the District of Columbia Official Code are
4141 deleted.

4142 Sec 7173. New sections 47-4203, 47-4204 and 47-4205, are added to read as follows:

4143 "§ 47-4203 (reserved).

4144 "§ 47-4204. Underpayment of estimated tax by individuals

4145 "(a) An individual shall pay 4 installments of estimated tax on the dates as provided in §
4146 47-1812.08(i)(4) in the amount provided under subsection (b) of this section.

4147 "(b)(1) The amount of each installment of estimated tax under subsection (b) of this
4148 section shall be the lesser of:

4149 "(A) The amount required under the annualized income method under
4150 paragraph (2) of this subsection, or

4151 "(B) Twenty-five percent of the lesser of:

4152 "(i) Ninety percent of the tax shown on the return for the taxable
4153 year (or, if no return is filed, 90% of the tax for the taxable year);

4154 "(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-
4155 subparagraph, 100% of the tax shown on the return of the individual for the preceding taxable
4156 year if the individual filed a return for the preceding taxable year consisting of 12 months;

4157 "(II) For tax years beginning after December 31, 2011,
4158 110% of the tax shown on the return of the individual for the preceding taxable year if the
4159 individual filed a return for the preceding taxable year consisting of 12 months; or

4160 "(iii)(I) Except as provided in sub-sub-subparagraph (II) of this
4161 sub-subparagraph, 100% of the tax computed on the basis of the facts shown on his return for the
4162 preceding taxable year if the individual filed a return for the preceding taxable year consisting of
4163 12 months.

4190 "(B) The period of the underpayment shall run from the due date for the
4191 installment to the earlier of: (i) the 15th day of the 4th month following the close of the taxable
4192 year, or (ii) the date on which the amount of the underpayment is made; provided, that an
4193 underpayment which is unpaid during part of a month shall be considered to be paid at the end of
4194 the month.

4195 "(d) For purposes of this section:

4196 "(1) A payment of estimated tax shall be credited against unpaid required
4197 installments in the order in which the installments are required to be paid.

4198 "(2) The term "tax" means the tax imposed by § 47-1806.03, less the amount of
4199 credit allowed against the tax (other than the credit under § 47-1806.04(b) for withholding of
4200 wages).

4201 "(3) The amount of the credit allowed under § 47-1806.04(b) for withholding of
4202 wages shall be deemed a payment of estimated tax. An equal part of such amount shall be
4203 deemed paid on each due date for the payment of estimated tax for the taxable year unless the
4204 taxpayer establishes the dates on which all amounts were actually withheld, in which case the
4205 amounts withheld shall be deemed payments of estimated tax on the dates on which such
4206 amounts were actually withheld.

4207 "(4) The amount of a refund of a prior year's tax applied against the tax during the
4208 taxable year shall be deemed a payment of estimated tax.

4209 "(e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

4210 "(1) The tax shown on the return for the taxable year (or, if no return is filed, the
4211 tax), reduced by applicable credits and payments of estimated tax which are timely made, is less
4212 than \$ 100;

4213 "(2) The individual did not have any liability for tax for the preceding taxable
4214 year;

4215 "(3) The Mayor determines that:

4216 "(A) The taxpayer (i) retired after having attained age 62, or (ii) developed
4217 a disability in the taxable year for which estimated payments were required to be made or in the
4218 taxable year preceding such taxable year; and

4219 "(B) The underpayment was due to reasonable cause and not to willful
4220 neglect;

4221 "(4) The Mayor determines that, by reason of casualty, disaster, or other unusual
4222 circumstances, the imposition of the addition to tax would be against equity and good
4223 conscience; or

4224 "(5) The taxpayer dies during the taxable year.

4225 "§ 47-4205. Underpayment of estimated tax by corporations, financial institutions and
4226 unincorporated businesses.

4227 "(a) A corporation, financial institution, or unincorporated business shall pay 4
4228 installments of estimated tax as provided in § 47-1812.14 in the amount provided under
4229 subsection (b) of this section.

4230 "(b)(1) The amount of each installment of estimated tax under subsection (b) of this
4231 section shall be the lesser of[:]

4232 "(A) The amount required under the annualized income method under
4233 paragraph (2) of this subsection, or

4234 "(B) Twenty-five percent of the lesser of:

4235 "(i) Ninety percent of the tax shown on the return of the entity for
4236 the taxable year (or, if no return is filed, 100% of the tax for the taxable year); or

4237 "(ii)(I) Except as provided in sub-sub-subparagraph (II) of this sub-
4238 subparagraph, 100% of the tax shown on the return of the entity for the preceding taxable year if
4239 the individual filed a return for the preceding taxable year consisting of 12 months.

4240 "(II) For tax years beginning after December 31, 2011,
4241 110% of the tax shown on the return of the entity for the preceding taxable year if the individual
4242 filed a return for the preceding taxable year consisting of 12 months.

4243 "(2) (A) The required payments under the annualized income method shall be, on
4244 a cumulative basis, as follows:

4245 "(i) On the first installment date, 22.5% of the tax for the taxable
4246 year based upon the annualized income of the entity for the first 3 months of the taxable year;

4247 "(ii) On the second installment date, 45% of the tax for the taxable
4248 year based upon the annualized income of the entity for the first 5 months of the taxable year;

4249 "(iii) On the third installment date, 67.5% of the tax for the taxable
4250 year based upon the annualized income of the entity for the first 8 months of the taxable year;

4251 and

4252 "(iv) On the fourth installment date, 90% of the tax for the taxable
4253 year based upon the annualized income of the entity for the first 9 months of taxable year.

4254 "(B) The annualized income method shall not apply to entities filing a
4255 return for part of a taxable year except under regulations as the Mayor may prescribe.

4256 "(c)(1) Except as otherwise provided in this section, in the case of an underpayment of
4257 estimated tax by a corporation, financial institution, or unincorporated business, there shall be
4258 added to the tax imposed under Chapter 18 of this title an amount of interest determined by
4259 applying the underpayment rate set forth in § 47-4201 to the amount of the underpayment for the
4260 period of the underpayment.

4261 "(2) For purposes of this subsection:

4262 "(A) The amount of the underpayment shall be the excess of (i) the
4263 required installment, over (ii) the amount, if any, of the installment paid on or before the due date
4264 for the installment.

4265 "(B) The period of the underpayment shall run from the due date for the
4266 installment to the earlier of (i) the 15th day of the 3rd month following the close of the taxable
4267 year, or (ii) the date on which the amount of the underpayment is made; provided, that an
4268 underpayment which is unpaid during part of a month shall be considered to be paid at the end of
4269 the month.

4270 (d) For purposes of this section:

4271 (1) A payment of estimated tax shall be credited against unpaid required
4272 installments in the order in which the installments are required to be paid.

4273 (2) The term "tax" means the tax imposed by § 47-1807.02 [§ 47-1808.02] or §
4274 47-1808.03, less the amount of credit allowed against the tax (other than the credit with respect
4275 to payments of tax).

4276 (3) The amount of a refund of a prior year's tax applied against the tax during the
4277 taxable year shall be deemed a payment of estimated tax.

4278 (e) Interest shall not be imposed under subsection (c) of this section for a taxable year if:

4279 (1) The tax shown on the return for the taxable year (or, if no return is filed, the
4280 tax) reduced by applicable credits and estimated payments which are made timely, is less than \$
4281 1,000; or

4282 (2)(A) The preceding taxable year was a taxable year of 12 months; and

4283 (B) The entity did not have any liability for tax for the preceding taxable
4284 year."

4285 Sec. 7174. Applicability.

4286 This act shall be applicable for tax years beginning after December 31, 2014.

4287 **SUBTITLE N. TAX TRANSPARENCY AND EFFECTIVENESS**

4288 Sec. 7181. Short title.

4289 This subtitle may be cited as the "Tax Transparency and Effectiveness Act of 2014".

4290 Sec. 7182. Definitions.

4291 For the purposes of this subtitle, the term:

4292 (1) "Categorical preference" means a tax preference that sets eligibility criteria
4293 and is potentially available to all entities that meet the criteria, subject to any funding limitations.

4294 (2) "CFO" means the Chief Financial Officer of the District of Columbia.

4295 (3) "Economic development purpose" means a goal to increase or retain business
4296 activity, including attracting new businesses or retaining existing ones, encouraging business
4297 expansion or investment, increasing or maintaining hiring, or increasing sales.

4298 (4) "Individual preference" means a tax preference, such as a tax abatement,
4299 applied by the District to one entity, project, or associated projects.

4300 (5) "On-cycle tax preference" means a tax preference up for review in a current
4301 year.

4302 (6) "Tax preference" means an exemption, exclusion, or deduction from the base
4303 of a state tax, a credit against a state tax, a deferral of a state tax, or a preferential state tax rate.

4304 Sec. 7183. Tax preference review.

4305 (a) The CFO shall review all locally adopted tax expenditures on a 5-year cycle and
4306 publish annually a report complying with the requirements of this section.

4307 (b) By January 1, 2015, and by January 1 of every year thereafter, the CFO shall submit
4308 for publication in the District of Columbia Register a proposal for the contents of the report
4309 required by this section. The proposal shall include:

4310 (1) A list of the on-cycle preferences scheduled to be reviewed in the upcoming
4311 report;

4312 (2) Whether each preference will receive a full or summary review;

4313 (3) The criteria used to determine whether each categorical preference would
4314 receive a full or summary review;

4315 (4) The metrics to be used for evaluating tax preferences in the report; and

4316 (5) Details on a comment period for the proposal, which shall be at least 30 days
4317 during which time members of the public may submit comments on the proposal to the CFO.

4318 (c) By August 1, 2015, and by August 1 of every year thereafter, the CFO shall submit
4319 for publication in the District of Columbia Register a report for on-cycle tax preferences that
4320 complies with the requirements of this section.

4321 (d) An on-cycle individual preference shall be analyzed and reported in the following
4322 manner:

4323 (1) An individual preference shall be analyzed and reported in groupings of
4324 similarly purposed preferences, with the report focusing on collective effects or trends that
4325 emerge;

4326 (2) The purpose of the of tax preferences within the grouping;

4327 (3) The amount of lost revenue due to the tax preferences within the grouping;

4328 (4) An assessment of whether the tax preference in the grouping are meeting their
4329 proposed goals;

4330 (5) An assessment of whether the tax preferences are achieving other goals;

4331 (6) An assessment of general effects on the District resulting from the
4332 preferences;

4333 (7) The report on groupings of individual preferences shall include
4334 recommendations on how to improve similar preferences in the future;

4335 (8) The report on grouping of individual preferences shall include
4336 recommendations addressing whether and under what circumstances similar preferences should
4337 be adopted in the future;

4338 (9) For groupings of individual tax preferences with an economic development
4339 purpose, the analysis shall consider the economic impact of the preferences, taking into account
4340 factors including:

4341 (A) Whether the economic impact of the tax preferences would have been
4342 expected without the preferences;

4343 (B) The extent to which the economic impact of the tax preferences was
4344 offset by economic losses elsewhere;

4345 (C) The average economic impact for a level of direct expenditures equal
4346 to the cost of the tax preferences;

4347 (D) The indirect economic impact of the tax preferences;

- 4348 (E) Number of jobs created by the preference;
- 4349 (F) Wages of the jobs created;
- 4350 (G) The percentage of jobs filled by District residents; and
- 4351 (H) Whether any terms of the tax preferences have been or are being
- 4352 satisfied.

4353 (e) Except as provided in subsection (f) of this section, on-cycle categorical preferences
4354 shall receive a full review that includes:

- 4355 (1) The purpose of the tax preference;
- 4356 (2) The tax preference's cost in terms of lost revenue;
- 4357 (3) An assessment of whether the tax preference is meeting its goals;
- 4358 (4) An assessment of whether the tax preference is achieving other goals;
- 4359 (5) Recommendations for improving the effectiveness of the tax preference;
- 4360 (6) Recommendations for whether the tax preference should be modified,
- 4361 discontinued, or remain in its existent state;
- 4362 (7) For tax preferences with an economic development purpose, the analysis shall
- 4363 measure the economic impact of the preference, taking into account factors including:

4364 (A) Whether the economic impact of the tax preference would have been
4365 expected without the preference;

4366 (B) The extent to which the economic impact of the tax preference was
4367 offset by economic losses elsewhere;

4368 (C) The average economic impact for a level of direct expenditures equal
4369 to the cost of the tax preference; and

4370 (D) The indirect economic impact effect of the tax preference.

4371 (f) For on-cycle categorical tax preferences that the CFO determines do not merit a full
4372 review, the CFO shall instead perform a summary review. In determining which tax preferences
4373 are appropriate for summary reviews, the CFO shall consider factors including, at a minimum:

- 4374 (1) The revenue lost due to the tax preference;

4375 (2) Whether the revenue lost due to the preference has increased or decreased
4376 since the preference was last reviewed;

4377 (3) Whether the preference has been included in legislative or administrative
4378 proposals to modify or repeal;

4379 (4) The relationship of the preference to established national or federal standards;
4380 and

4381 (5) Whether the preference is required by the District of Columbia Home Rule
4382 Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code 1-201.01 et sec.).

4383 (g) A report on a categorical preference designated for summary review shall include:

4384 (1) A narrative summary of the preference, including its purpose;

4385 (2) The source and year of statutory authorization;

4386 (3) The fiscal impact of the preference; and

4387 (4) A description of the beneficiaries of the tax preference.

4388 (h) All District agencies, offices, and instrumentalities shall cooperate with the CFO and
4389 shall provide any records, information, data, and data analysis needed to complete evaluations
4390 required by this section.

4391 **SUBTITLE O. LOW-INCOME HOUSING TAX CREDIT**

4392 Sec. 7331. Short title.

4393 This subtitle may be cited as the "Low-Income Housing Tax Credit Act of 2014".

4394 Sec. 7332 . Title 47 of the District of Columbia Code is amended as follows:

4395 (a) The table of contents for the title is amended by adding the chapter designation
4396 "Chapter 48. District of Columbia Low-Income Housing Tax Credit."

4397 (b) A new Chapter 48 is added to read as follows:

4398 "CHAPTER 48. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT.

4399 "Sec.

4400 "47-4801. Definitions.

4401 "47-4802. Credit established.

4402 "47-4803. Eligibility.

4403 "47-4804. Recapture.

4404 "47-4805. Additional filings.

4405 "47-4806. Transfer, sale or assignment.

4406 "47-4807. Compliance.

4407 "47-4808. Expiration of credits.

4408 "47-4809. Efficiency.

4409 "47-4810. Fees.

4410 "47-4811. Rulemaking.

4411 "§ 47-4801. Definitions.

4412 "For the purposes of this chapter, the term:

4413 "(1) "Administrative costs" means the costs of the Department to administer,
4414 manage, and monitor the low-income housing tax credit program, including personnel costs.

4415 "(2) "Department" means the Department of Housing and Community
4416 Development, or its successor agency.

4417 "(3) "Developer" means a person or entity that proposes to cause the construction
4418 of affordable housing using tax credits provided under the District of Columbia Low-Income
4419 Housing Tax Credit Program.

4420 "(4) "Director" means the Director of the Department of Housing and Community
4421 Development.

4422 "(5) "Low-Income Housing Tax Credit Program" means the program authorized
4423 by section 42 of the Internal Revenue Code [26 U.S.C. § 42].

4424 "(6) "Qualified Project" means a rental housing development that receives an
4425 allocation of Federal Low-Income Housing Tax Credits from the Department.

4426 "(7) "User fee" means a fee charged by the Department to a developer in
4427 connection with the District of Columbia Low-Income Housing Tax Credit Program, including
4428 application, reservation, allocation, and monitoring fees.

4429 "§ 47-4802. Credit established.

4430 "(a) There is established a District of Columbia low-income housing tax credit. The
4431 Department may authorize annually under this chapter total tax credits equal to the credit ceiling
4432 allocated to the District of Columbia by the federal Internal Revenue Service in accordance with
4433 26 U.S.C. § 42(h)(3)(c).

4434 "(b) Unless otherwise provided in this section, the Department shall authorize, allocate,
4435 administer, and determine eligibility for the District of Columbia low-income housing tax credit
4436 and allocate the credit in accordance with the standards and requirements as set forth in section
4437 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year; provided,
4438 that the combined federal and District of Columbia low-income housing tax credit shall be the
4439 least amount necessary to ensure financial feasibility of a project.

4440 "(c) The Department shall allocate the total available District of Columbia low-income
4441 housing tax credit among as many qualified District of Columbia projects as fiscally feasible,
4442 with the goal of increasing the stock of affordable housing units.

4443 "(d) Only qualified projects are eligible for a District of Columbia low-income housing
4444 tax credit award. The Department shall award an equal number of Federal and District of
4445 Columbia low-income housing tax credits to a qualified project.

4446 "§ 47-4803. Eligibility.

4447 "(a) A taxpayer may receive a District of Columbia tax credit with respect to a qualified
4448 project, provided that the Department issues an eligibility statement for that qualified project.
4449 This credit shall be termed the District of Columbia low-income housing tax credit.

4450 "(b) The total District of Columbia low-income housing tax credit available to a qualified
4451 District of Columbia project shall be authorized and allocated by the Department based on the
4452 qualified project's need for the credit for economic feasibility.

4453 "(c) The District of Columbia low-income housing tax credit shall be taken against the
4454 income or franchise taxes imposed under this title, claimed equally for 10 years, subtracted from
4455 the amount of District of Columbia tax otherwise due for each taxable period and shall not be

4456 refundable. Any amount of the low-income housing tax credit that exceeds the tax due for a
4457 taxable year may be carried forward to any of the 10 subsequent taxable years.

4458 "(d) All or any portion of District of Columbia tax credits issued in accordance with the
4459 provisions of this section may be allocated to parties who are eligible under the provisions of
4460 subsection (a) of this section. An owner of a qualified project shall certify to the Chief Financial
4461 Officer the amount of credit allocated to such owner. The owner of the qualified project shall
4462 provide to the Chief Financial Officer appropriate information so that the low-income housing
4463 tax credit can be properly allocated.

4464 "(e) In the event that recapture of District of Columbia low-income housing tax credits is
4465 required pursuant to subsection (a) or (b) of section 4804, any statement submitted to the Chief
4466 Financial Officer as provided in this section shall include the proportion of the District of
4467 Columbia credit required to be recaptured, the identity of each taxpayer subject to the recapture,
4468 and the amount of credit previously allocated to such taxpayer.

4469 "(f)(1) A tax credit allowed under this section shall not be denied to the taxpayer with
4470 respect to any qualified project merely by reason of a right of first refusal held by the tenants, in
4471 cooperative form or otherwise, or resident management corporation of such building or by a
4472 qualified nonprofit organization, as defined in Section 42 of the 1986 Internal Revenue Code, as
4473 amended and in effect for the taxable year, or government agency to purchase the qualified
4474 District of Columbia project after the close of the compliance period for a price which is not less
4475 than the minimum purchase price determined under paragraph (2).

4476 "(2) The minimum purchase price shall be an amount equal to the sum of the
4477 principal amount of outstanding indebtedness secured by the building, other than indebtedness
4478 incurred within the 5-year period ending on the date of the sale pursuant to paragraph (1), and all
4479 federal and District taxes attributable to such sale.

4480 "§ 47-4804. Recapture.

4481 "(a) The owner of a qualified project eligible for the District of Columbia low-income
4482 housing tax credit shall submit, at the time of filing the project owner's state tax return, a copy of

4483 the eligibility statement issued by the department with respect to such qualified project. In the
4484 case of failure to attach the eligibility statement, a credit under this section shall not be allowed
4485 with respect to such qualified project for that year until the copy is provided to the Office of Tax
4486 and Revenue.

4487 "(b) If under Section 42 of the 1986 Internal Revenue Code, as amended and in effect for
4488 the taxable year, a portion of any federal low-income housing tax credits taken on a low-income
4489 qualified project is required to be recaptured, the District of Columbia low-income housing tax
4490 credit authorized by this chapter with respect to such qualified District of Columbia project shall
4491 also be recaptured. The District of Columbia recapture amount shall be equal to the amount of
4492 the District of Columbia low-income housing tax credits previously claimed times a fraction, the
4493 numerator of which shall be the amount of recaptured federal low-income housing tax credits
4494 and the denominator of which shall be the amount of federal low-income housing tax credits
4495 previously claimed.

4496 "§ 47-4805. Additional filings.

4497 "The Chief Financial Officer or the Department may require the filing of additional
4498 documentation necessary to determine the eligibility or accuracy of a tax credit claimed under
4499 the provisions of this chapter through the promulgation of regulations.

4500 "§ 47-4806. Transfer, sale, or assignment.

4501 "(a) All or any portion of tax credits issued in accordance with the provisions of this
4502 section may be transferred, sold, or assigned.

4503 "(b) An owner or transferee desiring to make a transfer, sale or assignment as described
4504 in subsection (a) of this section shall submit to the Chief Financial Officer a statement which
4505 describes the amount of District of Columbia low-income housing tax credit for which such
4506 transfer, sale, or assignment of District of Columbia low-income housing tax credit is eligible.
4507 The owner shall provide to the Chief Financial Officer appropriate information so that the low-
4508 income housing tax credit can be properly allocated.

4509 "(c) In the event that recapture of District of Columbia low-income housing tax credits is
4510 required pursuant to section 4803, any statement submitted to the Chief Financial Officer as
4511 provided in subsection (b) of this section shall include the proportion of the District of Columbia
4512 low-income housing tax credit required to be recaptured, the identity of each transferee subject to
4513 recapture, and the amount of credit previously transferred to such transferee.

4514 "§ 47-4807. Compliance.

4515 "The Department, in consultation with the Chief Financial Officer, shall monitor and
4516 oversee compliance with the District of Columbia low-income housing tax credit program and
4517 may promulgate regulations requiring the filing of additional documentation deemed necessary
4518 to determine continuing eligibility for the District of Columbia low-income housing tax credit.
4519 The Department or the Chief Financial Officer shall report specific occurrences of
4520 noncompliance to appropriate state, federal, and local authorities.

4521 "§ 47-4808. Expiration of credits.

4522 "Except for unused credits carried forward pursuant to subsection (c) of section 4803, and
4523 except for credits claimed under regulations promulgated by the department consistent with the
4524 special rule set forth in paragraph (2) of subsection (f) of section 42 of the 1986 Internal Revenue
4525 Code, as amended and in effect for the taxable year, a qualified District of Columbia project shall
4526 not be eligible for any District of Columbia low-income housing tax credits for more than 11
4527 taxable years.

4528 "§ 47-4809. Efficiency.

4529 "The Department may pursue methods of enhancing the efficiency of the District of
4530 Columbia low-income housing tax credit program including but not limited to: pursuing opinions
4531 from the United States department of treasury's internal revenue service in the form of general
4532 counsel memoranda, private letter rulings and other notices, rulings or guidelines and reviewing
4533 other state low income housing tax programs which utilize an option for taxpayers to receive
4534 such tax credit in the form of a loan generated by transferring the credit to a designated state
4535 entity."

4536 "§ 47-4810. Fees.

4537 "The Department may charge a user fee equal to up to 1% of the District of Columbia
4538 low-income housing tax credits awarded to a qualified project to pay for the administrative costs
4539 associated with the program. The user fee will be deposited into the Low-Income Housing Tax
4540 Credit Fund, as established in D.C. Official Code § 42-2853.

4541 "§ 47-4811. Rulemaking.

4542 "(a) The Mayor shall issue rules to implement this Chapter.

4543 "(b) The Chief Financial Officer shall issue rules to implement section 4805."

4544 **SUBTITLE P. IPW FUND AND WMATA MOMENTUM FUND**

4545 **ESTABLISHMENT**

4546 Sec. 7371. Short title.

4547 This subtitle may be cited as the "IPW Fund and WMATA Momentum Support Fund
4548 Establishment Act of 2014".

4549 Sec. 7372. IPW Fund.

4550 (a) There is established a nonlapsing fund, the IPW Fund (the "Fund"), which shall be
4551 established under the auspices of and administered by Destination DC, and which shall be used
4552 by the District to pay for the costs associated with hosting the U.S. Tourism Association's annual
4553 international tourism conference, known as the IPW, in 2017.

4554 (b) The following funds shall be deposited into the Fund:

4555 (1) The amount of \$5 million from the \$60.9 million settlement the District
4556 obtained with online travel companies to recover unpaid hotel-room taxes, only upon approval of
4557 the settlement by the District of Columbia Court of Appeals, *District of Columbia v. Expedia,*
4558 *Inc., et al., Nos. 14-CV-308, 14-CV-309, and*

4559 (2) \$5,000,000 in private-sector matching funds, to be raised by Destination DC.

4560 (c) The portion of the Fund described in paragraph (b)(1) will be available for
4561 expenditure only if Destination DC raises private-sector matching funds on a one-to-one basis.

4562 Destination DC shall return to the District any settlement funds for which a private-sector match
4563 is not secured.

4564 (d) Destination DC shall submit an annual report at the end of each fiscal year to the
4565 Mayor and Council, which shall include:

4566 (1) The amount of private-sector matching funds raised and

4567 (2) The amount expended from the Fund.

4568 (e) All funds deposited into the Fund, and any interest earned on those funds, shall not
4569 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end
4570 of a fiscal year, or at any other time, but shall be continually available for the use set forth in
4571 subsection (a) of this section without regard to fiscal year limitation, subject to authorization by
4572 Congress.

4573 Sec. 7373. WMATA Momentum Support Fund.

4574 (a) There is established as a special fund the WMATA Momentum Support Fund
4575 ("Fund"), which shall be administered by the Chief Financial Officer in accordance with
4576 subsection (c) of this section.

4577 (b) The Fund shall consist of \$55.9 million from the \$60.9 million settlement the District
4578 obtained with online travel companies to recover unpaid hotel-room taxes, only upon approval of
4579 the settlement by the District of Columbia Court of Appeals, *District of Columbia v. Expedia,*
4580 *Inc., et al., Nos. 14-CV-308, 14-CV-309.*

4581 (c) Upon execution of an inter-jurisdiction funding agreement for implementation of the
4582 Washington Metropolitan Area Transit Authority Momentum Strategic Plan, any monies in the
4583 Fund shall be made available to finance the District's share of the implementation costs.

4584 (d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
4585 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal
4586 year, or at any other time.

4587 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
4588 be continually available without regard to fiscal year limitation.

4589 **SUBTITLE Q. LAHDO ESTOPPELS**

4590 Sec. 7381. Short Title.

4591 This subtitle may be cited as the "LAHDO Estoppels Amendment Act of 2014"

4592 Sec.7381. Section 47-1005.01(c-1) of the District of Columbia Official Code is amended
4593 to read as follows:

4594 "(c-1) Effective June 9, 2001, an existing or future lease entered into under the provisions
4595 of the Land Acquisition for Housing Development Opportunities Program, set forth in Chapter
4596 45 of Title 10 of the District of Columbia Municipal Regulations ("LAHDO"), shall be exempt
4597 from all taxes, assessments, and public charges related to the leased land, including any
4598 possessory interest tax, for periods for which the Department of Housing and Community
4599 Development ("DHCD") certifies in writing to the lessee and the Chief Financial Officer that the
4600 lessee is in compliance with its LAHDO lease and the lessee is in good standing with DHCD. As
4601 to any property for which a written certification of compliance is issued, DHCD shall notify the
4602 lessee and the Chief Financial Officer if the lessee no longer is in compliance with its lease or is
4603 not in good standing with DHCD. The exemption provided hereunder will end at the beginning
4604 of the first month following the date that the lessee did not comply with its lease or was not in
4605 good standing with DHCD, whichever occurs first."

4606 **SUBTITLE R. QUALIFIED HIGH TECHNOLOGY CLARIFICATION**

4607 Sec. 7391. Short Title.

4608 This subtitle may be cited as the "Qualified High Technology Clarification Act of 2014".

4609 Sec. 7392. Section 47-1817.01(4) and (5) of the District of Columbia Official Code are
4610 amended to read as follows:

4611 "(4) "Qualified employee" means a person who is employed in the District by the
4612 Qualified High Technology Company and who is performing QHTC activities in the District."

4613 "(5)(A) "Qualified High Technology Company" means:

4614 "(i) An individual or entity organized for profit and leasing or
4615 owning an office in the District of Columbia;

4616 "(ii) Having 2 or more qualified employees in the District; and

4617 "(iii) Deriving at least 51% of its gross revenues earned in the

4618 District from:

4619 "(I) Developing, maintaining, hosting, or operating
4620 internet-related services and sales, including website design, maintenance, hosting, or operation;
4621 Development of internet-related training, advertising, or promotion services; Internet-related
4622 consulting; or the development and rental, lease, or sale of Internet-related applications,
4623 connectivity, or digital content;

4624 "(II) Developing, creating or designing information and
4625 communication technologies, equipment and systems that involve advanced computer software
4626 and hardware, data processing, visualization technologies, or human interface technologies,
4627 whether deployed on the Internet or other electronic or digital media. Such technologies shall
4628 include operating and applications software; Internet-related services, including design, strategic
4629 planning, deployment, and management services and artificial intelligence; computer modeling
4630 and simulation; high-level software languages; neural networks; processor architecture;
4631 animation and full-motion video; graphics hardware and software; speech and optical character
4632 recognition; high-volume information storage and retrieval; data compression; and multiplexing,
4633 digital signal processing, and spectrum technologies;

4634 "(III) Developing, creating or designing advanced materials
4635 and processing technologies that involve the development, modification, or improvement of one
4636 or more materials or methods to produce devices and structures with improved performance
4637 characteristics or special functional attributes, or to activate, speed up, or otherwise alter
4638 chemical, biochemical, or medical processes. Such materials and technologies shall include
4639 metal alloys; metal matrix and ceramic composites; advanced polymers; thin films; membranes;
4640 superconductors; electronic and photonic materials; bioactive materials; bioprocessing; genetic
4641 engineering; catalysts; waste emissions reduction; pharmaceuticals; and waste processing
4642 technologies;

4643 "(IV) Developing, creating or designing engineering,
4644 production, biotechnology and defense technologies that involve knowledge-based control
4645 systems and architectures; advanced fabrication and design processes, equipment, and tools; or
4646 propulsion, navigation, guidance, nautical, aeronautical and astronautical ground and airborne
4647 systems, instruments, and equipment. Such technologies shall include: computer-aided design
4648 and engineering; computer-integrated manufacturing; robotics and automated equipment;
4649 integrated circuit fabrication and test equipment; sensors; biosensors; signal and image
4650 processing; medical and scientific instruments; precision machining and forming; biological and
4651 genetic research equipment; environmental analysis, remediation, control, and prevention
4652 equipment; defense command and control equipment; avionics and controls; guided missile and
4653 space vehicle propulsion units; military aircraft; space vehicles; and surveillance, tracking, and
4654 defense warning systems; or

4655 "(V) Developing, creating or designing electronic and
4656 photonic devices and components for use in producing electronic, optoelectronic, mechanical
4657 equipment and products of electronic distribution with interactive media content. Such
4658 technologies shall include microprocessors; logic chips; memory chips; lasers; printed circuit
4659 board technology; electroluminescent, liquid crystal, plasma, and vacuum fluorescent displays;
4660 optical fibers; magnetic and optical information storage; optical instruments, lenses, and filters;
4661 simplex and duplex data bases; and solar cells.

4662 "(B) "Qualified High Technology Company" shall not include:

4663 "(i) An individual or entity that derives 51% or more of its gross
4664 revenues from the operation in the District of:

4665 "(I) An on-line or brick and mortar retail store;

4666 "(II) An electronic equipment facility that is primarily
4667 occupied, or intended to be occupied, by electronic and computer equipment that provides
4668 electronic data switching, transmission, or telecommunication functions between computers,
4669 both inside and outside the facility; or

4670 "(III) Building and/or construction company.
4671 "(ii) A professional athletic team, as defined in § 47-2002.05(a)(3);
4672 or
4673 "(iii) A business entity located in the DC Ballpark TIF Area, as
4674 defined in § 2-1217.12a(a).

4675 Sec. 7393. Applicability.

4676 [Reserved.]

4677 **SUBTITLE S. EMERGING BUSINESS DISTRICT DEMONSTRATION**

4678 Sec. 7401. Short Title.

4679 This subtitle may be cited as the "Emerging Business District Demonstration Act of
4680 2014".

4681 Sec. 7402. (a) The Mayor shall authorize the creation of Emerging Business District
4682 Demonstration Projects for business development purposes and provide financial assistance for
4683 up to five years while a business tax base is further established. These funds shall be distributed
4684 through a grant program by the Office of the Deputy Mayor for Planning and Economic
4685 Development. To be eligible for these funds, applicants must demonstrate property owner
4686 commitment to the program through matching grants of at least 25% of the proposed program's
4687 total budget. BIDs with budgets under \$1million as well as eligible 501(c) 3 and 501 (c) 6
4688 organizations may apply and be awarded these funds.

4689 (b) Within 45 days of the effective date of this subtitle, the Mayor shall publish draft
4690 regulations regarding the criteria and awarding of grants. If no regulations are published,
4691 organizations will be entitled to apply as of November 1, 2014.

4692 (c) Regulations shall include:

- 4693 (1) The ability to establish and assemble a panel of reviewers for applications;
4694 (2) A formula to determine what level of seed funding is sufficient to establish
4695 operations and allows the pursuit of matching funds from the private sector or otherwise;

4696 (3) The ability for applicants to be eligible for technical assistance, training, and
4697 mentoring opportunities;

4698 (4) Eligible uses of funds, including:

4699 (A) Economic research; or

4700 (B) Community or business outreach.

4701 Sec. 7403. This grant program shall not prevent entity or neighborhood from receiving
4702 any other form of District or federal assistance, including loans or grants.

4703 Sec. 7404. Conforming amendment.

4704 The Howard Town Center Real Property Tax Abatement Act of 2012, effective April 20,
4705 2013 (D.C. Law 19-257; 60 DCR 992), is amended by adding a new section 3a to read as
4706 follows:

4707 "Sec. 3a. Applicability.

4708 "This act shall apply upon the inclusion of its fiscal effect in an approved budget and
4709 financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in
4710 a certification published by the Council in the District of Columbia Register."

4711 **SUBTITLE T. SOUTHWEST WATERFRONT PROJECT CLARIFICATION**

4712 Sec. 7501. Short title.

4713 This subtitle may be cited as the "Southwest Waterfront Project Clarification Amendment
4714 Act of 2014".

4715 Sec. 7502. Section 101(3) of the Southwest Waterfront Bond Financing Act of 2008,
4716 effective October 22, 2008 (D.C. Law 17-252, D.C. Official Code § 2-1217.131(3)), is amended
4717 to read as follows:

4718 "(3) "Available Sales Tax Revenues" means the revenues in excess of
4719 \$208,549.00 generated in the Southwest Waterfront PILOT/TIF Area in any fiscal year of the
4720 District commencing on the Commencement Date resulting from the imposition of the sales tax
4721 under Chapter 20 of Title 47, including penalty and interest charges, exclusive of the portion
4722 thereof required to be deposited in the Washington Convention Center Fund established pursuant

4723 to the Washington Convention Center Authority Act of 1994, effective September 28, 1994
4724 (D.C. Law 10-188; D.C. Official Code § 10-1202.08). The term "Available Sales Tax Revenues"
4725 includes sales tax revenues from any business existing in the Southwest Waterfront PILOT/TIF
4726 Area on October 22, 2008, only after the business has re-opened as a result of the development
4727 of any portion of the project."

4728 **SUBTITLE U. NON-DEPARTMENTAL FUND ADMINISTRATION**

4729 Sec. 7511. Short title.

4730 This subtitle may be cited as the "Non-Departmental Fund Administration Act of 2014".

4731 Sec. 7512. In fiscal year 2015, of the funds allocated to the Non-Departmental agency, an
4732 amount up to \$1 million shall be transferred to the University of the District of Columbia
4733 ("UDC") if, by January 1, 2015, UDC raises an amount of \$1 million from private donations for
4734 the purpose of meeting accreditation standards. The amount transferred under this section shall
4735 be matched dollar-for-dollar from the amount raised.

4736 Sec. 7513. In fiscal year 2015, and beginning no later than the effective date of the
4737 Transportation Reorganization Act of 2014, as introduced on April 8, 2014 (Bill 20-759) ("the
4738 Act"), the City Administrator shall convene and lead a multi-agency working group to plan for
4739 and implement the agency restructuring required by the Act. The City Administrator may use up
4740 to \$500,000 from the Non-Departmental agency for this process.

4741 **SUBTITLE V. UNITED HOUSE OF PRAYER FOR ALL PEOPLE EQUITABLE**
4742 **REAL PROPERTY TAX RELIEF**

4743 Sec. 7521. Short title.

4744 This subtitle may be cited as the "United House of Prayer for All People Equitable Real
4745 Property Tax Relief Act of 2014".

4746 Sec. 7522. The Council orders that:

4747 (1) Real property taxes, interest, penalties, fees, or other related charges assessed against
4748 the real property formerly designated as Lots 88 and 982, Square 5861, and paid by the United
4749 House of Prayer for All People, for tax years 2001 through 2013, shall be forgiven and refunded.

4750 (2) Real property taxes, interest, penalties, fees, or other related charges assessed against
4751 the real property formerly designated as Lot 988, Square 5861, for the first 2 months of tax year
4752 2014, shall be forgiven and any payments by the United House of Prayer for All People shall be
4753 refunded.

4754 **SUBTITLE W. MERIDIAN INTERNATIONAL CENTER REAL PROPERTY**
4755 **TAX EXEMPTION ACT**

4756 Sec. 7531. Short title.

4757 This subtitle may be cited as the “Meridian International Center Real Property Tax
4758 Exemption Act of 2014.”

4759 Sec. 7532. Chapter 10 of Title 47 of the District of Columbia Official Code is amended
4760 as follows:

4761 (a) The table of contents is amended by adding a new section designation to read as
4762 follows:

4763 “47-1092. Meridian International Center.”.

4764 (b) A new section 47-1092 is added to read as follows:

4765 “§ 47-1092. Meridian International Center.

4766 “(a)(1) Beginning on the effective date of this section, the real property designated as
4767 Lots 806, 808, and 809 in Square 2568, known as the Meridian House and the White-Meyer
4768 House, and Lots 2369 through 2401, 2413 through 2417, 2423, 2441, and 2442 in Square 2567,
4769 together with any improvements and furnishings (“Property”) shall be exempt from all taxation;
4770 provided, that the Property is:

4771 “(A) Owned by the Meridian International Center, a District of Columbia
4772 nonprofit corporation,

4773 “(B) Used for the purposes and activities of the Meridian International
4774 Center; and

4775 “(C) Not used for any commercial purposes, except as provided in
4776 subsection (b) of this section.

4777 “(2) Use of the premises by agencies of the United States of America or by any
4778 organization exempt from federal income taxation shall not affect the exemption from taxation
4779 provided for in this section.

4780 “(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of
4781 the Property may be rented out to another person or entity as long as the rent or other income
4782 generated shall be used for the maintenance and preservation of the Property.

4783 “(c) Meridian International Center shall comply with the reporting requirement of § 47-
4784 1007 and have the appeal rights provided by § 47-1009.”.

4785 Sec. 7533. The Council of the District of Columbia orders that all real property taxes,
4786 interest, penalties, fees, and other related charges assessed against the Property for the period
4787 beginning with tax year 2006 through the effective date of this act be forgiven and that any
4788 payments made be refunded.

4789 **SUBTITLE X. SCOTTISH RITE TEMPLE REAL PROPERTY TAX ACT**

4790 Sec. 7541. Short title.

4791 This subtitle may be cited as the “Scottish Rite Temple Real Property Tax Act of 2014.”

4792 Sec. 7542. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
4793 follows:

4794 (a) The table of contents is amended by adding a new section designation to read as
4795 follows:

4796 “§ 47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction
4797 of the United States; lot 108, square 192.”

4798 (b) A new section 47-1094 is added to read as follows:

4799 “§ 47-1094. Supreme Council of Scottish Rite Free Masonry of the Southern Jurisdiction
4800 of the United States; lot 108, square 192.

4801 “The real property described as lot 108 in square 192 shall be exempt from real property
4802 taxation so long as the real property is owned by The Supreme Council (Mother Council of the
4803 World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon

4804 of the Thirty-Third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the
4805 Southern Jurisdiction of the United States of America (hereinafter the “Supreme Council”) or its
4806 subsidiary, the House of the Temple Historic Preservation Foundation, Inc., and is used by the
4807 Supreme Council or its subsidiaries to carry on their respective purposes and activities, and is not
4808 used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007 and 47-1009 as
4809 if the exemption had been granted administratively under this chapter.”.

4810 **SUBTITLE Y. AMERICAN ACADEMY OF ACHIEVEMENT REAL PROPERTY**

4811 **TAX EXEMPTION ACT**

4812 Sec. 7551. Short title.

4813 This subtitle may be cited as the “American Academy of Achievement Real Property Tax
4814 Exemption Act of 2014.”

4815 Sec. 7552. Chapter 10 of Title 47 of the District of Columbia Official Code is amended
4816 as follows:

4817 (a) The table of contents is amended by adding a new section designation to read as
4818 follows:

4819 “47-1093. American Academy of Achievement.”.

4820 (b) A new section 47-1093 is added to read as follows:

4821 “§ 47-1093. American Academy of Achievement.

4822 “(a)(1) Beginning on the effective date of this section, the real property designated as Lot
4823 0829 in Square 0182, known as the American Academy of Achievement building, together with
4824 any improvements and furnishings (“Property”) shall be exempt from all taxation; provided, that
4825 the Property is:

4826 “(A) Owned by the American Academy of Achievement, a nonprofit
4827 corporation,

4828 “(B) Used for the purposes and activities of the American Academy of
4829 Achievement; and

4830 “(C) Not used for any commercial purposes, except as provided in
4831 subsection (b) of this section.

4832 “(2) Use of the premises by agencies of the United States of America or by any
4833 organization exempt from federal income taxation shall not affect the exemption from taxation
4834 provided for in this section.

4835 “(b) Section 47-1005 shall apply with respect to the Property; provided, that a portion of
4836 the Property may be rented out to another person or entity as long as the rent or other income
4837 generated shall be used for the maintenance and preservation of the Property.

4838 “(c) American Academy of Achievement shall comply with the reporting requirement of
4839 § 47-1007 and have the appeal rights provided by § 47-1009.”.

4840 Sec. 7553. The Council of the District of Columbia orders that all real property taxes,
4841 interest, penalties, fees, and other related charges assessed against the Property for the period
4842 beginning with tax year 2006 through the effective date of this act be forgiven and that any
4843 payments made be refunded.

4844 **TITLE VIII. CAPITAL BUDGET**

4845 **SUBTITLE A. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY**

4846 Sec. 8001. Short title.

4847 This subtitle may be cited as the "Department of Transportation Capital Budget
4848 Allocation Authority Act of 2014".

4849 Sec. 8002. Section 3(e) of the Department of Transportation Establishment Act of 2002,
4850 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)), is amended by
4851 adding a new paragraph (3) to read as follows:

4852 “(3) The Director may submit requests to OBP to re-allocate funds from any
4853 Related Project to the applicable capital project created in fiscal year 2012 or later funded from
4854 the District of Columbia Highway Trust Fund. The Director, following re-allocation of funds by
4855 OBP from a Related Project to its applicable capital project, shall have the authority to submit
4856 requests to OBP to allocate these funds to another Related Project.”.

4857 **SUBTITLE B. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION**

4858 Sec. 8011. Short title.

4859 This subtitle may be cited as the "Department of Transportation Capital Project Review
4860 and Reconciliation Amendment Act of 2014 ".

4861 Sec. 8012. Subsection 11j(a) of Title IV of the Department of Transportation
4862 Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-
4863 921.53(a)), is amended to read as follows:

4864 "(a) Funds resulting from the closure of a capital project pursuant to section 11i(a) shall
4865 be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund,
4866 established by section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective
4867 August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), up to an annual level of
4868 \$1.5 million and then equally among the Local Streets Ward-based capital projects; provided,
4869 that funds specific to non-participating costs shall be allocated to the non-participating Highway
4870 Trust Fund Support project."

4871 **SUBTITLE C. FISCAL YEAR 2015 CAPITAL PROJECT FINANCING**

4872 **REALLOCATION APPROVAL**

4873 Sec. 8021. Short title.

4874 This subtitle may be cited as the "Fiscal Year 2015 Capital Project Reallocation Approval
4875 Act of 2014".

4876 Sec. 8022. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of
4877 Columbia Official Code, the Council approves the Mayor's request to reallocate \$ 84,463,423 in
4878 general obligation bond proceeds from District capital projects listed in Table A to the District
4879 capital projects, in the amounts specified, listed in Table B.

4880 (b) The current allocations were made pursuant to the Fiscal Year 2009 Income Tax
4881 Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009,
4882 effective March 3, 2009 (Res. 18-0034; 56 DCR 2082), the Fiscal Year 2010 Income Tax
4883 Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of

4884 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCMR 9265), the Fiscal Year 2011
 4885 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency
 4886 Approval Act of 2010, effective November 17, 2010 (D.C. Act 18-607; 57 DCR 11054), and the
 4887 Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance
 4888 Approval Resolution of 2011, effective December 6, 2011 (Res. 19-0315; 58 DCR 10556).

4889

4890

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	CW M	DCPL	African American Civil War Memorial	2011A - IT	1,118,561
Deputy Mayor for Economic Development	AW T	DMPED	Walter Reed Redevelopment	2011A - IT	402,214

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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 Public Schools	GM0	DGS	Woodrow Wilson Natatorium/Pool	2009E	4,039,76 4
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	4,987,55 4
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	3,955,68 0
Fire and Emergency Medical Services	LC4	FEMS	Engine Company 22 Replacement	2012 FG	1,525,11 5
Fire and Emergency Medical Services	LE5	FEMS	Engine Company 27 Renovation	2012 FG	1,956,33 5
Fire and Emergency Medical Services	LE7	FEMS	Engine Company 27 Renovation	2012 FG	1,000,00 0
District of Columbia Public Schools	PR3	DGS	Ron Brown ES Modernization	2012 FG	4,050,00 0
Department of Parks and Recreation	QJ8	DPR	Friendship Park	2012 FG	1,629,83 0
Mass Transit Subsidies	SA4	WMAT A	Metrорail Construction	2012 FG	53,577,0 00
TOTAL					\$ 84,463,4 23

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4892

TABLE B.

Agency	Proj ect Num ber	Implem enting Agency	Project Title	Bond Issuance Series	Amoun t
Mass Transit Subsidies	TOP	WMAT A	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

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4894

SUBTITLE D. H STREET STREETCAR PRIORITY

4895

Sec. 8031. Short title.

4896

This subtitle may be cited as the “H Street Streetcar Priority Act of 2014”.

4897

Sec. 8032. (a) The Mayor shall include the full replacement of the H Street Bridge in the

4898

Regional Transportation Improvement Program for completion before fiscal year 2018.

4899

(b) The Mayor and the District Department of Transportation (“DDOT”) shall prioritize

4900

the full replacement of the H Street Bridge under DDOT capital project SA306C, H

4901

Street/Benning/K Street Line. The full replacement of the bridge shall be completed before fiscal

4902

year 2018.

4903

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS

4904

AND TRANSFERS

4905

SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS

4906

Sec. 9001. Short title.

4907

This title may be cited as the "Local and Special Purpose Revenue Fund Amendment Act

4908

of 2014".

4909 Sec. 9002. RFK & DC Armory Maintenance Fund.

4910 Notwithstanding any other law, the funds which are deposited in the fund designated for
4911 accounting purposes by the Office of the Chief Financial Officer as fund 1440 within the
4912 Department of General Services shall be a lapsing fund and any unexpended funds in the fund at
4913 the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
4914 District of Columbia.

4915 Sec. 9003. Facilities Service Request Fund.

4916 Notwithstanding any other law, the funds which are deposited in the fund designated for
4917 accounting purposes by the Office of the Chief Financial Officer as fund 1500 within the
4918 Department of General Services shall be a lapsing fund and any unexpended funds in the fund at
4919 the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
4920 District of Columbia.

4921 Sec. 9004. Distribution Fees.

4922 Notwithstanding any other law, the funds which are deposited in the fund designated for
4923 accounting purposes by the Office of the Chief Financial Officer as fund 1243 within the Office
4924 of the Secretary shall be a lapsing fund and any unexpended funds in the fund at the end of a
4925 fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of
4926 Columbia.

4927 Sec. 9006. Copy Fund.

4928 Notwithstanding any other law, the funds which are deposited in the fund designated for
4929 accounting purposes by the Office of the Chief Financial Officer as fund 0651 within the Public
4930 Service Commission shall be a lapsing fund and any unexpended funds in the fund at the end of a
4931 fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of
4932 Columbia.

4933 Sec. 9007. DCPS PEPCO

4934 Notwithstanding any other law, the funds which are deposited in the fund designated for
4935 accounting purposes by the Office of the Chief Financial Officer as fund 0604 within the District

4936 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
4937 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
4938 District of Columbia.

4939 Sec. 9008. DCPS Security

4940 Notwithstanding any other law, the funds which are deposited in the fund designated for
4941 accounting purposes by the Office of the Chief Financial Officer as fund 0609 within the District
4942 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
4943 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
4944 District of Columbia.

4945 Sec. 9009. DCPS Custodial

4946 Notwithstanding any other law, the funds which are deposited in the fund designated for
4947 accounting purposes by the Office of the Chief Financial Officer as fund 0607 within the District
4948 of Columbia Public Schools shall be a lapsing fund and any unexpended funds in the fund at the
4949 end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the
4950 District of Columbia.

4951 Sec. 9010. DPR Enterprise Fund

4952 Notwithstanding any other law, the fund which is designated for accounting purposes by
4953 the Office of the Chief Financial Officer as fund 0602 within the Department of Parks and
4954 Recreation shall be a lapsing fund and any unexpended funds in the fund at the end of a fiscal
4955 year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

4956 Sec. 9011. Pedestrian and Bicycle Safety and Enhancement Fund

4957 Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16,
4958 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is amended as follows:

4959 (a) Subsection (a) is amended by striking the phrase "nonlapsing" and inserting the
4960 phrase "lapsing" in its place.

4961 (b) Subsection (c)(1) is amended to read as follows:

4962 "(c)(1) All funds deposited into the Fund but not expended in a fiscal year shall revert to
4963 the unrestricted fund balance of the General Fund of the District of Columbia."

4964 Sec. 9012. DMV Out-of State Vehicle Registration Fee

4965 Section 3a(a) of the District of Columbia Revenue Act of 1937, effective March 28, 2008
4966 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a(a)), is amended as follows:

4967 (a) Paragraph (1) is amended by striking the phrase "nonlapsing" and inserting the phrase
4968 "lapsing" in its place.

4969 (b) Paragraph (3) is amended to read as follows:

4970 "(3) All funds deposited into the Fund but not expended in a fiscal year shall
4971 revert to the unrestricted fund balance of the General Fund of the District of Columbia."

4972 Sec. 9013. OCTO SERVUS Program

4973 Section 1004 of the Fiscal Year 2008 Budget Support Act of 2007, effective September
4974 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-1433), is amended as follows:

4975 (a) Paragraph (d) is amended to read as follows:

4976 "(d) All funds deposited into the Fund but not expended in a fiscal year shall revert to the
4977 unrestricted fund balance of the General Fund of the District of Columbia."

4978 Sec. 9014. Healthcare Forfeiture

4979 Notwithstanding any other law, the fund which is designated for accounting purposes by
4980 the Office of the Chief Financial Officer as the Healthcare Forfeiture fund shall be a lapsing fund
4981 and any unexpended funds in the fund at the end of a fiscal year shall revert to the unrestricted
4982 fund balance of the General Fund of the District of Columbia.

4983 Sec. 9015. Child SPT – Title IV Incentive Fees

4984 Notwithstanding any other law, the funds which are deposited in the fund designated for
4985 accounting purposes by the Office of the Chief Financial Officer as the Child SPT – Title IVC
4986 Incentive Fees fund within the Office of the Attorney General shall be deposited in the General
4987 Fund of the District of Columbia and shall not be accounted for by a separate fund or account
4988 within the General Fund of the District of Columbia. Any unexpended funds in the fund on the

4989 effective date of this subtitle shall be transferred to the unrestricted fund balance of the General
4990 Fund of the District of Columbia.

4991 Sec. 9016. Adult Training Fund

4992 Section 2261 of the Fiscal year 2010 Budget Support Act of 2009, effective March 3,
4993 2010 (D.C. Law 18-111; D.C. Official Code § 32-1671), is repealed.

4994 Sec. 9017. Youth Jobs Fund

4995 Section 1009 of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16,
4996 2008 (D.C. Law 17-219; D.C. Official Code § 2-1516.01), is repealed.

4997 Sec. 9018. Neighborhood Investment Fund

4998 (a) The Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-
4999 131; D.C. Official Code § 6-1071 et seq.), is repealed

5000 (b) Section 2375(d)(2) of the Fiscal Year 2006 Budget Support Act of 2005, effective
5001 September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75(d)(2)), is amended as
5002 follows:

5003 (1) Subparagraph (A) is amended by adding an "or" at the end.

5004 (2) Subparagraph (B) is repealed.

5005 (c) Section 2(16)(C) of the Certified Capital Companies Act of 2003, effective March 10,
5006 2004 (D.C. Law 15-87; D.C. Official Code § 31-5231), is amended by repealing sub-
5007 subparagraph (i).

5008 (d) Section 2172 of the Fiscal Year 2010 Budget Support Act of 2009, effective March
5009 30, 2012 (D.C. Law 18-111; D.C. Official Code § 38-1011.02), is repealed.

5010 Sec. 9019. Senior Citizens Housing Modernization Grant Fund

5011 The Senior Housing Modernization Grant Fund Act of 2010, effective August 12, 2010
5012 (D.C. Law 18-218; D.C. Official Code § 1-325.161 et seq.), is repealed

5013 Sec. 9020. Shaw Community Development Fund

5014 Section 204(l) of the Washington Convention Center Authority Act of 1994, September
5015 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.04(l)), is repealed.

5016 Sec. 9021. AWC Integration

5017 Notwithstanding any other law, the funds which are deposited in the fund designated for
5018 accounting purposes by the Office of the Chief Financial Officer as fund 0626 within the Deputy
5019 Mayor for Planning and Economic Development shall be deposited in the General Fund of the
5020 District of Columbia and shall not be accounted for by a separate fund or account within the
5021 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
5022 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
5023 the District of Columbia.

5024 Sec. 9022. Commercial Revitalization Assistance Fund

5025 Section 2376 of the Small, Local, and Disadvantaged Business Enterprise Development
5026 and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code
5027 § 2-218.76), is repealed.

5028 Sec. 9023. TDL Career Cluster

5029 Notwithstanding any other law, the funds which are deposited in the fund designated for
5030 accounting purposes by the Office of the Chief Financial Officer as the TDL Career Cluster fund
5031 within the District of Columbia Public Schools shall be deposited in the General Fund of the
5032 District of Columbia and shall not be accounted for by a separate fund or account within the
5033 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
5034 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
5035 the District of Columbia.

5036 Sec. 9024. Pre-k for All.

5037 Notwithstanding any other law, the funds which are deposited in the fund designated for
5038 accounting purposes by the Office of the Chief Financial Officer as the Pre-k for All fund within
5039 the Office of the State Superintendent of Education shall be deposited in the General Fund of the
5040 District of Columbia and shall not be accounted for by a separate fund or account within the
5041 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective

5042 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
5043 the District of Columbia.

5044 Sec. 9025. Air Quality Construction Permits

5045 Notwithstanding any other law, the funds which are deposited in the fund designated for
5046 accounting purposes by the Office of the Chief Financial Officer as the Air Quality Construction
5047 Permits fund within the Department of Health shall be deposited in the General Fund of the
5048 District of Columbia and shall not be accounted for by a separate fund or account within the
5049 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
5050 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
5051 the District of Columbia.

5052 Sec. 9026. Local Transportation Fund

5053 (a) Section 102a of the Highway Trust Fund Establishment Act of 1996, effective
5054 October 3, 2001(D.C. Law 14-28; D.C. Official Code § 9-111.01a), is repealed.

5055 (b) Section 1704 of the Highway Trust Fund Amendment Act of 2001, effective October
5056 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.31), is amended by striking the phrase
5057 "and Local Transportation Fund".

5058 Sec. 9027. Parking Meter Fund

5059 Notwithstanding any other law, the funds which are deposited in the fund designated for
5060 accounting purposes by the Office of the Chief Financial Officer as fund 6906 within the District
5061 Department of Transportation shall be deposited in the General Fund of the District of Columbia
5062 and shall not be accounted for by a separate fund or account within the General Fund of the
5063 District of Columbia. Any unexpended funds in the fund on the effective date of this subtitle
5064 shall be transferred to the unrestricted fund balance of the General Fund of the District of
5065 Columbia.

5066 Sec. 9028. Prison Diversion

5067 Notwithstanding any other law, the funds which are deposited in the fund designated for
5068 accounting purposes by the Office of the Chief Financial Officer as the Prison Diversion fund

5069 within the Department of Behavioral Health shall be deposited in the General Fund of the
 5070 District of Columbia and shall not be accounted for by a separate fund or account within the
 5071 General Fund of the District of Columbia. Any unexpended funds in the fund on the effective
 5072 date of this subtitle shall be transferred to the unrestricted fund balance of the General Fund of
 5073 the District of Columbia.

5074 Sec. 9029. Integrated Service Fund

5075 The Integrated Funding and Services for At-Risk Children, Youth, and Families Act of
 5076 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.01 et seq.), is
 5077 repealed.

5078 Sec. 9030. Applicability date.

5079 This subtitle shall apply on September 30, 2014.

5080 **SUBTITLE B. LOCAL AND O-TYPE FUND TRANSFERS**

5081 Sec. 9101. Short title.

5082 This subtitle may be cited as the "Local and Special Purpose Revenue Fund Transfer Act
 5083 of 2014".

5084 Sec. 9102. Before the end of Fiscal Year 2014, the Chief Financial Officer shall transfer
 5085 the following amounts from the accounts listed below to the Contingency Cash Reserve Fund,
 5086 established by section 450A (b) of the District of Columbia Home Rule Act, approved November
 5087 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a(b)):

5088

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
GDO	OSSE	Healthy Schools Act	\$4,349,170
XXX	OCFO	Healthcare Forfeiture	\$1,176,069
TOTAL			\$51,821,042

5089 Sec. 9103. Applicability.

5090 This subtitle shall apply on September 30, 2014.

5091 **TITLE X. REPORTING REQUIREMENTS**

5092 Sec. 10001. Short title.

5093 This title may be cited as the “Council Reporting Requirements Act of 2014”.

5094 Sec. 10002. For purposes of this title, unless otherwise provided, reports made to the
5095 Council shall be made to the Secretary to the Council.

5096 **PUBLIC EDUCATION**

5097 Sec. 10003. State Board of Education reporting requirements.

5098 By October 1, 2014, the State Board of Education shall submit to the Council:

5099 (1) An implementation plan for the establishment of the Office of the Student
5100 Advocate, which is to be fully operational by January 1, 2015;

5101 (2) A report on the accomplishments of the Office of the Ombudsman for Public
5102 Education during fiscal year 2014 and a strategic plan for the Office for fiscal year 2015; and

5103 (3) A report on the status of development and approval of high school graduation
5104 requirements for District of Columbia students, including the proposed standard diploma,
5105 diploma of distinction, a career credential aligned with CTE standards, and an achievement
5106 diploma for students with severe cognitive disabilities.

5107 Sec. 10004. Office of the State Superintendent of Education reporting requirements.

5108 By October 1, 2014, the Office of the State Superintendent of Education (“OSSE”) shall
5109 submit to the Council:

5110 (1) A report on the status of the opening the Youth Re-Engagement Center (“Center”).

5111 The report shall include, at a minimum:

5112 (A) A summary of activities undertaken during fiscal year 2014 in support of the
5113 Center;

5114 (B) A description of Center programs and activities underway or planned for
5115 fiscal year 2015 that will support re-engagement of youth; and

5116 (C) The name of the staff members working at the Center and their qualifications;

5117 (2) A report on OSSE's efforts to improve access to college entrance exams for District
5118 of Columbia students. The report shall include, at a minimum:

5119 (A) The number of District public school students who took the Scholastic
5120 Aptitude Test ("SAT") and the ACT test during school year ("SY") 2013-2014, by school and
5121 local education agency ("LEA"), and whether or not those students took advantage of free or
5122 reduced-price vouchers;

5123 (B) The average and median score for District public school students on the SAT
5124 and ACT in SY2013-2014 by LEA;

5125 (C) The type of preparation courses offered to students free of charge for both the
5126 SAT and ACT and the number of students who participated during SY2013-2014; and

5127 (D) Information regarding planned efforts for fiscal year 2015, including the
5128 projected number of students who will participate in test preparation courses and who will utilize
5129 free or reduced vouchers for college entrance exams, and the projected cost.

5130 (3) A report on the development of an information management system to ensure that the
5131 District is able to provide necessary services to homeless students;

5132 (4) A report on the identification of at-risk students for the purposes of developing the
5133 Fiscal Year 2016 budget, including the methodology that will be used to project the number of
5134 at-risk students at each LEA and school and an update on OSSE's at-risk early warning system,
5135 including a timetable for its implementation;

5136 (5) A plan to increase Medicaid reimbursement for services rendered to students with
5137 individualized education Programs ("IEP"), including:

5138 (A) A list of all services provided to students with IEPs that the District does not
5139 currently include under its Medicaid state plan as an eligible service;

5140 (B) For each of the services identified in subparagraph (A) of this paragraph, the
5141 actual Fiscal Year 2014 local expenditures, projected Fiscal Year 2015 local expenditures, and
5142 estimated local savings available to the District if the services were included in the Medicaid
5143 state plan; and

5144 (C) Recommended amendments to the District Medicaid state plan and other
5145 policy options to expand federal reimbursement for services provided to students with IEPs;

5146 (6) A report on the status of centralizing non-resident student investigations within
5147 OSSE, including the status of transferring nonresident tuition funds from DCPS to OSSE, as part
5148 of the implementation of sections 15a, 15b, and 15c of the District of Columbia Nonresident
5149 Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.01 et seq.);
5150 and

5151 (7) The status of the development of a memorandum of understanding with the
5152 Department of Employment Services to provide adult workforce training.

5153 Sec. 10005. District of Columbia Public Schools reporting requirements.

5154 By October 1, 2014, the District of Columbia Public Schools (“DCPS”) shall submit to
5155 the Council:

5156 (1) A report on efforts to work with youth educators, including the Young Women’s
5157 Project, to supplement health-education services, along with a delineation of Fiscal Year 2015
5158 funding dedicated to supporting youth educators;

5159 (2) A report on implementation of a restorative justice pilot program, including a list of
5160 participating schools and a Fiscal Year 2015 spending plan;

5161 (3) A report on DCPS’ summer school program, including:

5162 (A) The number of students served in Fiscal Year 2014 and total program
5163 expenditures;

5164 (B) Projected number of students to be served in Fiscal Year 2015, and the total
5165 program budget;

5166 (4) A report on efforts undertaken in Fiscal Year 2014 and planned for Fiscal Year 2015
5167 to ensure full implementation of the Focused Student Achievement Act of 2013, effective
5168 February 22, 2014 (D.C. Law 20-84; 61 DCR 178);

5169 (5) All student promotion and attendance data by school and grade for school year 2013-
5170 2014;

5171 (6) A report on the current inventory of DCPS library collections and resources available
5172 at each DCPS school, and efforts planned for Fiscal Year 2015 to expand access to library
5173 materials and resources, including efforts to:

5174 (A) Provide at least 20 library items per student in each DCPS school;

5175 (B) Balance the collections at DCPS Libraries between content areas; and,

5176 (C) Ensure that the average age of materials in each DCPS Library is less than 10
5177 years old;

5178 (7) A report on fixed costs, including:

5179 (A) A comparison of projected and actual Fiscal Year 2014 fixed-costs
5180 expenditures by DCPS facility;

5181 (B) Projected Fiscal Year 2015 fixed-costs expenditures by DCPS facility and
5182 actual fixed-costs expenditures incurred during school year 2014-2015;

5183 (C) Implementation of the Sustainable DC Initiative; and

5184 (D) Efforts to coordinate with the Department of General Services on a regular
5185 basis to review fixed costs projections and actual expenditures;

5186 (8) A plan to ensure full implementation of the Fair Funding and Student-Based
5187 Budgeting Act of 2013, effective February 22, 2014 (D.C. Law 20-87; 61 DCR 3742) (“Fair
5188 Funding Act”), for the Fiscal Year 2016 budget;

5189 (9) A report on the effort undertaken and planned for Fiscal Year 2015 related to the re-
5190 opening of Van Ness elementary school and the opening of an application middle school east of
5191 the Anacostia River;

5192 (10) A report on implementation of the budget recommendations included in the
5193 Committee on Education budget report for Fiscal Year 2015, including detailed information by
5194 school of the services or programs each of the allocations supported:

5195 (A) The \$2,563,500 to be used to supplement those schools most impacted by the
5196 budgetary discrepancy between DCPS' allocation of at-risk funds and the requirements set forth
5197 in the Fair Funding Act; and

5198 (B) The \$236,500 to augment the at-risk allocation at Anacostia High School,
5199 which has the highest percentage of special education students among those schools that did not
5200 receive their estimated at-risk allotment pursuant to the Fair Funding Act.

5201 Sec. 10006. Public Charter School Board reporting requirements.

5202 By October 1, 2014, the Public Charter School Board ("PCSB") shall submit to the
5203 Council:

5204 (1) Recommendations on how the PCSB will incorporate students' educational and
5205 programmatic needs as part of its application review for new and expanding public charter
5206 schools in school year 2014-2015. The recommendations may include how the agency and
5207 potential applicants are collaborating with the Deputy Mayor for Education, other appropriate
5208 agencies, and incorporating school enrollment, demand, and need as part of the application
5209 process; and

5210 (2) A report on the current inventory of library collections and resources available at
5211 District public charter schools.

5212 Sec. 10007. Deputy Mayor for Education reporting requirements.

5213 By October 1, 2014, the Deputy Mayor for Education shall submit to the Council:

5214 (1) A report on its continued implementation of the South Capitol Street
5215 Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141; D.C. Official
5216 Code § 2-1517.01 et seq.), including a Fiscal Year 2015 spending plan;

5217 (2) Recommendations on expanding transportation subsidies to students between
5218 the ages of 21-24 years old enrolled in DCPS or a public charter school;

5219 (3) An update on the activities and Fiscal Year 2015 goals of the State Early
5220 Childhood Development Coordinating Council; and

5221 (4) A report on implementation of the Graduation Pathways Project and how it
5222 will identify students who are off-track, assess current programs, and create or expand programs
5223 in both sectors that have demonstrated success at reducing truancy and keeping students on track
5224 to graduate on time.

5225 **HEALTH AND HUMAN SERVICES**

5226 Sec. 10008. Feasibility and Assessment Study.

5227 (a) The Department of Human Services shall commission a feasibility and assessment
5228 study to determine the housing and space needs for the residents and service providers within the
5229 building located at 425 2nd Street, N.W.

5230 (b) The study shall be conducted by a policy research organization located in the District.

5231 (c) In keeping with the recommendations of the CCNV Task Force, the study shall:

5232 (1) Consider and address the existence of a need for new facilities to replace the
5233 existing building;

5234 (2) Identify the service and support needs of current residents;

5235 (3) Develop and design shelter for the newly homeless and housing options for
5236 current residents based on identified service needs of the population;

5237 (4) Identify opportunities for funding for shelter for the newly homeless and
5238 housing options for current residents;

5239 (5) Propose a timeline for development and provision of shelter for the newly
5240 homeless and housing options for current residents;

5241 (6) Provide specific recommendations regarding shelter for the newly homeless
5242 and housing options for current residents; and

5243 (7) Estimate capital and operational costs of completing the recommendations.

5244 (d) The study shall be completed no later than 180 days from the date that the contract is
5245 awarded.

5246 Sec. 10009. Department of Health reporting requirements.

5247 By October 1, 2014, the Department of Health ("DOH") shall submit to the Council:

5248 (1) A quarterly report on all grants administered by the DOH, which shall include, at a
5249 minimum, the:

5250 (A) Grant title and number;

5251 (B) Source of the funding;

5252 (C) Approved budget authority;

5253 (D) Expenditures, including encumbrances and pre-encumbrances;

5254 (E) Purpose of the grant;

5255 (F) Name of grantees and subgrantees for each grant;

5256 (G) Date of grant funding expiration; and

5257 (H) DOH employees responsible for overseeing the grant.

5258 (2) An annual report on all federal grants for health services that DOH is aware of being
5259 in jeopardy of being cut at the conclusion of that fiscal year, when that funding has supported 3
5260 or more community organizations that have history of providing services in the District.

5261 (3) A bi-annual report on how existing District teenage pregnancy prevention programs
5262 are evaluated. The report should include information regarding the following:

5263 (A) The rate of teen pregnancy in the wards that the program services;

5264 (B) The number of girls served;

5265 (C) The number of girls that have successfully completed the program; and

5266 (D) Any other information DOH deems critical to critiquing the success of the
5267 program.

5268 (4) A bi-monthly report regarding the efficiency of the medical marijuana program in the
5269 District, the number of medical marijuana applications received from patients and doctors, the
5270 time it took to process each application, the names of the individuals in charge of processing the
5271 application, the average overall wait time for processing doctor and patient applications, and any
5272 other information critical to analyzing the program's efficiency.

5273 Sec. 10010. Department of Health Care Finance reporting requirements.

5274 (a) By October 1, 2014, the Department of Health Care Finance ("DHCF") shall submit
5275 to the Council a report on:

5276 (1) DHCF's reevaluation of the Alliance recertification process and
5277 recommendation for whether recertification rules need to be modified; and

5278 (2) Description and timeline for implementation of DHCFs coordination of care
5279 plan.

5280 (b) Starting on October 1, 2014 and ending on September 31, 2015, DHCF shall submit
5281 to the Council a quarterly report on:

5282 (1) The progress of Early and Periodic Screening, Diagnostic, and Treatment
5283 ("EPSDT") coding changes and provider compliance with EPSDT screens and reporting;

5284 (2) The eligibility and enrollment in the Elderly and Persons with Disabilities
5285 ("EPD") waiver including the:

5286 (A) Number of people currently enrolled in the EPD waiver;

5287 (B) Number of people currently on the waitlist;

5288 (C) Number of people who lost the benefit because they did not timely
5289 recertify;

5290 (D) Community engagement activities that are planned for that quarter;

5291 and

5292 (E) Status of implementation of EPD waiver state plan amendments.

5293 (3) Emergency and acute care utilization in the managed care and fee-for-service
5294 populations;

5295 (4) Assessing the performance of the long term care contractor including data on
5296 its reduction of fraud and abuse of the Personal Care Aid ("PCA") benefit;

5297 (5) Reflecting PCA benefit utilization and enrollment; and

5298 (6) The performance of each Managed Care Organization ("MCO"), which shall
5299 include, at a minimum, the following information:

5300 (A) A listing of the provider network for each MCO identifying each
5301 provider by name;

5302 (B) The number of newly eligible beneficiaries auto-assigned to each
5303 MCO that quarter, along with the total number of members enrolled in each MCO;

5304 (C) An assessment of each MCO's compliance with each contractual
5305 network adequacy requirement and performance objective, including a description of any
5306 threatened or assessed corrective action plans or penalties; and

5307 (D) EPSDT data for each MCO, including the following:

5308 (i) Number of EPSDT providers in each MCO network;

5309 (ii) Number of screens and percentage of children screened per
5310 quarter;

5311 (iii) Number of mental health screens and percentage of children
5312 receiving mental health screens per quarter; and

5313 (iv) Plans to address unsatisfactory screening rates in the next
5314 quarter.

5315 Sec. 10011. Not-For-Profit Hospital Corporation reporting requirements.

5316 By October 1, 2014, the Not-For-Profit Hospital Corporation ("NFPHC") shall submit to
5317 the Council a bi-monthly report on the progress made by Huron Healthcare at the NFPHC,
5318 including the:

5319 (1) Milestones completed;

5320 (2) Scheduled work and the expected completion date of such work;

5321 (3) Unexpected issues that have arose and plans to address those issues;

5322 (4) Issues that were scheduled to be completed before the due date of the next report, but
5323 were not, and the plan to complete them; and

5324 (5) Answers to any documented questions sent over by the Council to the NFPHC.
5325 Sec. 10012. Health Benefit Exchange Authority reporting requirements.

5326 (a) By October 1, 2014, the Health Benefit Exchange Authority ("Authority") shall
5327 submit to the Council a report on the effectiveness of the In-Person Assistor program, including:

5328 (1) The number of individuals enrolled by each grantee organization; and

5329 (2) Recommendations for continuing the program, including potential costs and
5330 sources of funding, in fiscal year 2015.

5331 (b) By December 31, 2014, the Authority shall submit to the Council a report on the
5332 reduction of the uninsured population in the District through enrollment in plans offered through
5333 the Authority, including:

5334 (1) The estimated number of uninsured individuals in the District as of October 1,
5335 2014;

5336 (2) The number of uninsured individuals who purchased plans between October 1,
5337 2013 and April 30, 2014;

5338 (3) A comprehensive plan to conduct outreach and enroll the uninsured
5339 population in the District in fiscal year 2015 and fiscal year 2016;

5340 (4) A comprehensive plan to monitor fluctuations in uninsured populations in the
5341 District in fiscal year 2015 and fiscal year 2016.

5342 **TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

5343 Sec. 10013. Anacostia River Toxics Remediation.

5344 By June 30, 2018, the Director of the District Department of the Environment shall adopt
5345 and publish a record of decision in the District of Columbia Register choosing the remedy for
5346 remediation of contaminated sediment in the Anacostia River. The remedial choice shall be
5347 based on the remedial investigation and feasibility study results and shall be consistent with the
5348 National Contingency Plan set forth in 40 C.F.R. Part 300, and with section 121 of the

5349 Comprehensive Environmental Response Compensation and Liability Act, approved
5350 ____ (___ Stat. __; 42 U.S.C. § 9621).

5351 Sec. 10014. Department of Parks and Recreation reporting requirements.

5352 By October 1, 2014, the Department of Parks and Recreation ("DPR") shall submit to the
5353 Council a detailed report on:

5354 (1) The agency's workforce strategic plan to address the number of critical
5355 vacancies within DPR, including a timeline for implementation, recruitment actions, benchmark
5356 goals, and strategies for retention;

5357 (2) The development of a comprehensive complaint in-take database system,
5358 which shall include, at a minimum:

5359 (A) A detailed description of the compliant in-take database system;

5360 (B) A timeline for development and the estimated launch date;

5361 (C) A recommendation for a data governance policy; and

5362 (D) A detailed explanation on how the complaint in-take database system
5363 will interact with existing systems; and

5364 (3) The development of a comprehensive system for performance metrics that
5365 tracks quantitative performance measures, including, at a minimum a timeline for development
5366 and the estimated launch date.

5367

5368 **TITLE XI. APPLICABILITY, FISCAL IMPACT STATEMENT, AND EFFECTIVE**
5369 **DATE**

5370 Sec. 11001. Applicability.

5371 Except as otherwise provided, this act shall apply as of October 1, 2014.

5372 Sec. 11002. Fiscal impact statement.

5373 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
5374 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
5375 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

5376 Sec. 11003. Effective date.

5377 This act shall take effect following approval by the Mayor (or in the event of veto by the
5378 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
5379 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973
5380 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia
5381 Register.