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1 A BILL

2 19-743

3 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

4 _____

5 To enact and amend provisions of law necessary to support the fiscal year 2013 budget.

6 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
7 act may be cited as the “Fiscal Year 2013 Budget Support Act of 2012”.

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

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

10 Sec. 1001. Short title.

11 This subtitle may be cited as the “Bonus and Special Pay Limitation Act of 2012”.

12 Sec. 1002. Bonus and special pay limitations.

13 (a) For fiscal year 2013, no funds shall be used to support the categories of special
14 awards pay or bonus pay; provided, that funds may be used for:

15 (1) Retirement awards;

16 (2) Hiring bonuses for difficult-to-fill positions;

17 (3) Additional income allowances for difficult-to-fill positions;

18 (4) Agency awards or bonuses funded by private grants or donations;

19 (5) Safe-driving awards;

20 (6) Gainsharing incentives in the Department of Public Works;

21 (7) Suggestion or invention awards; or

1 (8) Any other award or bonus required by an existing contract or collective
2 bargaining agreement that was entered into before the effective date of this subtitle.

3 (b) For fiscal year 2013, no special awards pay or bonus pay shall be paid to a
4 subordinate agency head or an assistant or deputy agency head unless required by a contract
5 executed before the effective date of this subtitle.

6 (c) Notwithstanding any other provision of law, no restrictions on the use of funds to
7 support the categories of special awards pay (comptroller subcategory 0137) or bonus pay
8 (comptroller subcategory 0138) shall apply in fiscal year 2013 to employees of the District of
9 Columbia Public Schools who are based at a local school or who provide direct services to
10 individual students.

11 **SUBTITLE B. HEALTH BENEFIT PLAN DISTRICT CONTRIBUTION**
12 **AMENDMENT**

13 Sec. 1011. Short title.

14 This subtitle may be cited as the “Health Benefit Plan District Contribution Amendment
15 Act of 2012”.

16 Sec. 1012. Section 2109 of the District of Columbia Government Comprehensive Merit
17 Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code
18 § 1-621.09), is amended as follows:

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

20 (1) Strike the phrase “an amount equal to 72%” and insert the phrase “an amount
21 equal to 75%” in its place.

22 (2) Strike the phrase “exceed 72%” and insert the phrase “exceed 75%” in its
23 place.

24 (b) Subsection (h) is amended as follows:

1 (1) Paragraph (1) is amended by striking the phrase “exceed 72%” and inserting
2 the phrase “exceed 75%” in its place.

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

4 (A) Strike the phrase “an amount equal to 72%” and insert the phrase “an
5 amount equal to 75%” in its place.

6 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute
7 25%” in its place.

8 (3) Paragraph (3) is amended as follows:

9 (A) Strike the phrase “an amount equal to 72%” and insert the phrase “an
10 amount equal to 75%” in its place.

11 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute
12 25%” in its place.

13 (c) Subsection (j) is amended as follows:

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

15 (A) Strike the phrase “an amount equal to 72%” and insert the phrase “an
16 amount equal to 75%” in its place.

17 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute
18 25%” in its place.

19 (2) Paragraph (2) is amended by striking the phrase “shall not exceed 72%” and
20 inserting the phrase “shall not exceed 75%” in its place.

21 (d) Subsection (l) is amended as follows:

22 (1) Strike the phrase “an amount equal to 72%” and insert the phrase “an amount
23 equal to 75%” in its place.

24 (2) Strike the phrase “contribute 28%” and insert the phrase “contribute 25%” in
25 its place.

1 **SUBTITLE C. DEPARTMENT OF GENERAL SERVICES FACILITIES**
2 **SERVICES REQUEST FUND ESTABLISHMENT**

3 Sec. 1021. Short title.

4 This subtitle may be cited as the “Facilities Service Request Fund Establishment
5 Amendment Act of 2012”.

6 Sec. 1022. The Department of General Services Establishment Act of 2011, effective
7 September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01 *et seq.*), is amended by
8 adding a new section 1028a to read as follows:

9 “Sec.1028a. Establishment of the Facilities Service Request Fund.

10 “(a) There is established within the General Fund of the District of Columbia a lapsing
11 account to be known as the Facilities Service Request Fund (“Fund”). All funds received by the
12 Department from non-District government tenants in District government facilities for facility-
13 related services, including maintenance, janitorial, security, construction, or other services,
14 provided by the Department in accordance with this subtitle shall be deposited into the Fund.

15 “(b) All funds deposited into the Fund, and any interest earned on those funds, shall
16 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end
17 of each fiscal year.

18 “(c) The Fund shall be administered by the Department, and shall be used for facility-
19 related services at real property owned or leased by the District of Columbia and under the
20 control of the Department.”.

21 **SUBTITLE D. PUBLIC SECTOR WORKERS’ COMPENSATION RETURN TO**
22 **WORK CLARIFICATION**

23 Sec. 1031. Short title.

24 This subtitle may be cited as the “Public Sector Workers’ Compensation Return to Work
25 Clarifying Amendment Act of 2012”.

1 Sec. 1032. The District of Columbia Government Comprehensive Merit Personnel Act of
2 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
3 amended as follows:

4 (a) Section 2306(b) (D.C. Official Code § 1-623.06(b)) is amended to read as follows:

5 “(b)(1) The Mayor shall require each employee receiving benefits under this title to
6 report his or her earnings from employment or self-employment by affidavit, including by
7 providing copies of tax documents and authorizing the Mayor to obtain copies of tax documents,
8 within 30 days of a written request for a report of earnings.

9 “(2) An employee shall forfeit his or her right to workers’ compensation with
10 respect to any period for which the report of earnings was required if the employee:

11 “(A) Fails to file a complete report of earnings within 30 days of a written
12 request for a report of earnings; or

13 “(B) Knowingly omits or understates any part of his or her earnings.

14 “(3) Workers’ compensation forfeited under this section, if already paid, may be
15 recovered by a deduction from future workers’ compensation payments owed to the employee or
16 otherwise recovered under section 2329.

17 “(4) The Mayor shall notify any employee receiving workers’ compensation
18 benefits, on forms prescribed by the Mayor, of that employee’s affirmative duty to report
19 earnings and shall specifically notify the employee that a failure to report earnings may subject
20 him or her to termination from the program and civil or criminal liability. The notice by the
21 Mayor may be satisfied by printing the notice on the employee payee statement portion of
22 indemnity checks sent to the employee.

23 “(5) For the purposes of this subsection, the term “earnings” includes any cash,
24 wages, or salary received from self-employment or from any other employment aside from the
25 employment in which the worker was injured. The term “earnings” also include commissions,

1 bonuses, and the cash value of all payments and benefits received in any form other than cash.
2 Commissions and bonuses earned before disability but received during the time the employee is
3 receiving workers' compensation benefits do not constitute earnings that must be reported.”.

4 (b) Section 2313(b) (D.C. Official Code § 1-623.13(b)) is amended by striking the
5 phrase “If an employee, whose date of hire was before January 1, 1980,” and inserting the phrase
6 “If an individual,” in its place.

7 **SUBTITLE E. DELINQUENT DEBT RECOVERY**

8 Sec. 1041. Short title.

9 This subtitle may be cited as the “Delinquent Debt Recovery Act of 2012”.

10 Part. A.

11 Sec. 1042. Definitions.

12 For the purposes of this act subtitle, the term:

13 (1) “Central Collection Unit” means the Central Collection Unit established
14 within the Office of Finance and Treasury of the Office of the Chief Financial Officer to
15 implement this act.

16 (2) “Delinquent debt” means any financial obligation owed by a person to a
17 District agency that remains unpaid more than 90 days after it was due; provided, that the term
18 shall not include tax debts or child-support debts.

19 (3) “Delinquent Debt Fund” or “Fund” means the Delinquent Debt Fund
20 established by section 1045.

21 (4) “District agency” means any District office, department, or agency, including
22 independent agencies, but not including the District of Columbia Water and Sewer Authority.

23 (5) “Person” means any natural person, trust, corporation, limited liability
24 corporation, partnership, limited liability partnership, or any other business organization.

1 Sec. 1043. Responsibility of District agencies to transfer and refer delinquent debt to the
2 Central Collection Unit for collection.

3 (a) Notwithstanding any other provision of law, regulation, or Mayor's order, each
4 District agency shall transfer and refer delinquent debts to the Central Collection Unit within 60
5 days after a financial obligation owed by a person to the District becomes a delinquent debt.

6 (b) A transfer and referral of a delinquent debt to the Central Collection Unit shall
7 include all documentation and information relating to the delinquent debt, including:

8 (1) Documents that verify the existence and amount of the delinquent debt;

9 (2) The name and last known address of the delinquent debtor; and

10 (3) Any notices issued to the delinquent debtor demanding payment.

11 (c) The procedure for transfer and referral of delinquent debt by each District agency to
12 the Central Collection Unit, including the format and means of delivery of the information, shall
13 be established by the Central Collection Unit within 120 days of the effective date of this
14 subtitle.

15 Sec. 1044. Imposition of costs and fees.

16 (a) The Central Collection Unit may prescribe, impose, and collect fees from debtors to
17 cover actual costs or expenses associated with the collection of delinquent debt.

18 (b) In addition to the authority to impose and collect fees to cover actual costs or
19 expenses associated with the collection of delinquent debt, the Central Collection Unit may
20 prescribe and impose a fee to be paid by each person who tenders in payment of a financial
21 obligation owed to the District, including a tax, assessment, fee, citation, or charge, a check that
22 is subsequently dishonored or not duly paid, or whose delinquent debt is transferred and referred
23 to the Central Collection Unit for action. The amount of the fee shall be set by regulations
24 established by the Central Collection Unit.

25 Sec. 1045. Delinquent Debt Fund.

1 There is established within the General Fund of the District of Columbia a special
2 | nonlapsing fund known as the Delinquent Debt Fund (“Fund”). Funds allocated to the Central
3 Collection Unit through the District’s annual Budget and Financial Plan, all delinquent debts
4 collected by the Central Collection Unit, and all fees authorized by section 1044 shall be
5 deposited into the Fund; provided, that any funds deposited in the Fund before the then-current
6 fiscal year, including any interest earned on such funds before the then-current fiscal year, the
7 money remaining in the Fund after the payment of all costs and expenses accrued before the
8 then-current fiscal year, less 10% of such remainder, which shall be retained as a reserve
9 operating balance, shall be transferred or revert to the General Fund of the District of Columbia.
10 All funds deposited in the Fund shall be administered and used by the Central Collection Unit,
11 subject to appropriation by Congress, to conduct the authorized activities of the Central
12 Collections Unit.

13 Sec. 1046. Lien for delinquent debt.

14 (a) If a person liable to pay a delinquent debt neglects or refuses to pay the delinquent
15 debt after demand by the Central Collection Unit, the amount, including any interest and any fees
16 imposed for collection of the delinquent debt that may accrue, shall be a lien in favor of the
17 District of Columbia upon all property (including rights to property), whether real or personal,
18 belonging to the person, and shall have the same effect as a lien created by judgment. The lien
19 shall attach to all real or personal property (including rights to property) belonging to, or
20 acquired by, the person at any time during the period of the lien.

21 (b) The lien imposed by subsection (a) of this section shall be deemed to have arisen on
22 the 91st day after the debt became due and owing to the District and shall continue until the
23 delinquent debt is satisfied or becomes unenforceable.

1 (c) The lien imposed by subsection (a) of this section shall not be valid against a bona
2 fide purchaser for value, holder of a security interest, mechanic's lien, or judgment lien creditor
3 until the lien has been filed with the Recorder of Deeds by the Central Collection Unit.

4 (d) Upon transferring a delinquent debt to the Central Collection Unit, a transferring
5 agency's authority to file a lien for that debt shall terminate.

6 Sec. 1047. Payment plans; discharge of delinquent debt; sale of delinquent debt; report to
7 credit agencies.

8 (a) Subject to subsection (b) of this section, the Central Collection Unit , in its
9 discretion, may:

10 (1) Enter into payment plan agreements with persons for payment of delinquent
11 debt; provided, that no payment plan shall exceed a term of 5 years;

12 (2) Discharge as uncollectible a delinquent debt that is older than 10 years;

13 (3) Settle a delinquent debt for less than the full amount owed;

14 (4) Report delinquent debts to credit agencies;

15 (5) Sell delinquent debt; and

16 (6) Refer a delinquent debt to the Office of the Attorney General for the District
17 of Columbia for civil or administrative collection or enforcement actions.

18 (b) The authority described in subsection (a) of this section shall become effective upon
19 the issuance of an order by the Mayor delegating the Mayor's authority, pursuant to An Act
20 Authorizing the Commissioners of the District of Columbia to settle claims and disputes against
21 the District of Columbia, approved February 11, 1929 (45 Stat. 1160; D.C. Official § 2-402 *et*
22 *seq.*), as is necessary to carry out the purposes of this act.

23 Sec. 1048. Suspension of licenses and permits.

24 (a) Each District agency that transfers and refers a delinquent debt of more than \$100 to
25 the Central Collection Unit for collection shall, within 5 days of the transfer and referral, suspend

1 the granting or issuance of any District license or permit to the delinquent debtor. The suspension
2 shall remain in effect until the Central Collection Unit notifies the appropriate District agency
3 that the delinquent debt has been satisfied.

4 (b) Each District agency that suspends the granting or issuance of a District license or
5 permit pursuant to this section shall provide written or electronic notice of the suspension to the
6 Central Collection Unit within 5 days of the suspension.

7 (c) The Central Collection Unit shall provide to all District agencies, within 10 days of
8 the end of the preceding month, a list of the names of all persons currently subject to suspension
9 of the granting or issuing of a District license or permit due to delinquent debt of more than
10 \$100.

11 Sec. 1049. Reciprocal agreements.

12 The Central Collection Unit may enter into reciprocal agreements for the collection of
13 delinquent debts with any state, local, or municipal government.

14 Sec. 1050. Offset of delinquent debt against District employee pay and against
15 contractual obligations to District contractors.

16 (a)(1) The Central Collection Unit may collect delinquent debt from District employees
17 by deducting delinquent debt from the biweekly pay of District employees, in an amount not to
18 exceed 10% of an employee's gross biweekly pay, until the delinquent debt is fully satisfied.

19 (2) If a District employee's wages are subject to a preexisting attachment or
20 attachments, the Central Collection Unit shall not exercise its authority under paragraph (1) of
21 this subsection until the preexisting attachments have been satisfied, in order of priority.

22 (b)(1) The Central Collection Unit may collect delinquent debt from District contractors
23 by deducting the delinquent debt from any amounts owed to a District contractor pursuant to a
24 contractual obligation between the District and the contractor.

25 (2) For the purposes of this section, the term:

1 (A) “District contractor” includes any person who receives payments from
2 the District pursuant to a contract or a grant agreement that requires the grantee to perform
3 services in consideration for the payment of the grant amount.

4 (B) “Contractual obligation” includes an obligation arising from a contract
5 or a grant agreement described in subparagraph (A) of this paragraph that is entered into after the
6 effective date of this subtitle.

7 (c) The Central Collection Unit may collect delinquent debts by offsetting District tax
8 refunds and District lottery winnings against delinquent debts owed to the District.

9 Sec. 1051. Consumer protection.

10 The Central Collection Unit and any outside parties it engages to collect delinquent debt
11 shall include in any contract with outside parties engaged to enforce collection of delinquent debt
12 a provision that requires the contractor to fully comply with the Fair Debt Collection Practices
13 Act, approved September 20, 1977 (91 Stat 874; 15 U.S.C. § 1692 *et seq.*), the District of
14 Columbia Consumer Protection Procedures Act, effective July 22, 1976 (D.C. Law 1-76; D.C.
15 Official Code § 28-3901 *et seq.*), and all other federal and District laws and rules that govern
16 collection of delinquent debt.

17 Sec. 1052. Report to the Council.

18 On or before March 1 of each year, the Central Collection Unit shall issue a report to the
19 Mayor and the Council that includes:

- 20 (1) The amount of delinquent debt collected in the preceding fiscal year;
21 (2) The amount of uncollected delinquent debt owed to the District; and
22 (3) A summary of the efforts made to collect delinquent debt owed to the District
23 and the challenges that remain for collecting it.

24 Sec. 1053. Rulemaking.

1 Sec. 10541055. The District of Columbia Government Comprehensive Merit Personnel
2 Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
3 amended by adding a new section 2905 to read as follows:

4 “Sec. 2905. Authority to collect infraction fines from responsible District employees.

5 “(a) If a notice of infraction is issued pursuant to section 303 of the District of Columbia
6 Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official
7 Code § 50-2303.03) (“Traffic Act”), or section 902 of the Fiscal Year 1997 Budget Support Act
8 of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), for an
9 infraction committed by a vehicle owned or leased by the District of Columbia government, the
10 responsible individual shall be required to pay any fine or fee imposed as a result of that notice
11 of infraction.

12 “(b) The responsible individual may challenge any notice of infraction issued for a
13 moving violation as provided in Title II of the Traffic Act (D.C. Official Code § 50-2302.01 *et*
14 *seq.*), or any notice of infraction issued for a parking, standing, or stopping infraction as provided
15 in Title III of the Traffic Act (D.C. Official Code §50-2303.01 *et seq.*).

16 “(c) If a responsible individual fails to pay a fine or fee imposed, the period for
17 challenging the issuance of the notice of infraction has expired, and there is no final order
18 dismissing the charges that led to the issuance of the notice of infraction, the Mayor may collect
19 the amount owed, as provided for in section 2904), or by any other means authorized by law.”.

20 “(d) For the purposes of this section, the term “responsible individual” means the District
21 government employee, contractor, or volunteer who had registered, or signed to use the vehicle
22 that was the subject of the notice of infraction, or who had been assigned to drive the vehicle that
23 was the subject of the notice of infraction, at the time when the notice of infraction was issued.

1 **SUBTITLE F. DISTRICT OF COLUMBIA RETIREMENT BOARD ACTUARIAL**
2 **METHOD**

3 Sec. 1061. Short title.

4 This subtitle may be cited as the “District of Columbia Retirement Board Actuarial
5 Method Amendment Act of 2012”.

6 Sec. 1062. Section 133 of the Police Officers, Fire Fighters, and Teachers Retirement
7 Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C.
8 Official Code § 1-907.03), is amended to read as follows:

9 “Sec. 133. Calculation of District of Columbia payment to the Funds for fiscal years
10 ending after 2012.

11 “(a)(1) When specified in paragraph (2) of this subsection, the Retirement Board shall
12 engage an enrolled actuary, who may be the enrolled actuary engaged pursuant to section
13 162(a)(4)(A) of the District of Columbia Retirement Reform Act, approved November 17, 1979
14 (93 Stat. 885; D.C. Official Code § 1-732(a)(4)(A)), to make the following determinations as of a
15 specified date on the basis of the entry age normal funding method and in accordance with
16 generally accepted actuarial principles and practices with respect to each separate fund
17 comprising the Funds:

18 “(A) The normal cost, determined as a level percentage of covered annual
19 payroll;

20 “(B) The unfunded accrued liability payment; which, for the purposes of
21 this section, means the level amount or the level percentage of covered annual payroll that, when
22 contributed annually to the Fund for a period of not greater than 30 years, would be sufficient to
23 fund the liability for benefits accrued by participants as of the valuation date (“accrued liability”)
24 in excess of the current value of assets of the Fund (“unfunded accrued liability”);

25 “(C) The current value of the assets in the Fund;

26 “(D) The estimated covered annual payroll; and

1 “(E) Such additional information as the Retirement Board may need to
2 make the determinations specified in paragraph (4) of this subsection and in subsection (b) of
3 this section.

4 “(2) Unless the actuary engaged by the Retirement Board pursuant to paragraph
5 (1) of this subsection determines that a more frequent valuation is necessary to support the
6 actuary’s opinion, the actuary shall make the determinations described in paragraph (1) of this
7 subsection upon the request of the Retirement Board and at least once every 2 years.

8 “(3) On the basis of the most recent determinations made under paragraph (1) of
9 this subsection, the enrolled actuary shall certify to the Retirement Board each year, at a time
10 specified by the Retirement Board, the following information for the next fiscal year with respect
11 to each separate fund comprising the Funds:

12 “(A) The normal cost;

13 “(B) The present value of future benefits payable from the Funds for
14 covered employees as of the valuation date;

15 “(C) The unfunded accrued liability payment;

16 “(D) The current value of assets as of the valuation date; and

17 “(E) The value of assets used in developing the amortization of unfunded
18 accrued liability payment.

19 “(4) On the basis of the most recent certification submitted by the enrolled
20 actuary under paragraph (3) of this subsection, the Retirement Board shall certify the sum of the
21 normal cost and the unfunded accrued liability payment (“amount of the District payment”) for
22 the next fiscal year for each separate fund comprising the Funds.

23 “(b)(1) On the basis of the most recent determinations made under subsection (a)(4) of
24 this section, the Retirement Board shall, no fewer than 30 days before the date on which the
25 Mayor is required to submit the annual budget for the District of Columbia government to the

1 Council, pursuant to section 442 of the District of Columbia Home Rule Act, approved
2 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.42), certify to the Mayor and the
3 Council the amount of the District payment for each separate fund comprising the Funds.

4 “(2) The Mayor, in preparing each annual budget for the District of Columbia
5 pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24,
6 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), and the Council, in adopting each annual
7 budget in accordance with section 446 of the District of Columbia Home Rule Act, approved
8 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46) shall, for each separate fund
9 comprising the Funds, include in the budget no less than the amount of the District payment for
10 each separate fund comprising the Funds certified by the Retirement Board under paragraph (1)
11 of this subsection. The Mayor and the Council may comment and make recommendations
12 concerning any such amount certified by the Retirement Board.

13 “(c)(1) Before the enactment of any law, resolution, regulation, rule, or agreement
14 producing any change in benefits under a Retirement Program, the Mayor shall engage and pay
15 for an enrolled actuary, who may be the enrolled actuary engaged pursuant to section
16 162(a)(4)(A) of the District of Columbia Retirement Reform Act, approved November 17, 1979
17 (93 Stat. 885; D.C. Official Code § 1-732(a)(4)(A)), to estimate the effect of that change in
18 benefits over the next 5 fiscal years on the:

- 19 “(A) Accrued liability of the Retirement Program;
20 “(B) Unfunded accrued liability of the Retirement Program;
21 “(C) Unfunded accrued liability payment with respect to the Retirement
22 Program; and
23 “(D) Normal cost with respect to the Retirement Program.

24 “(2) Whenever any change in benefits under a Retirement Program pursuant to
25 this subsection is made to either, but not both, the Metropolitan Police Department or the Fire

1 and Emergency Medical Services Department, the Mayor shall engage an enrolled actuary to
2 perform the same study contemporaneously for the employee group for which the change was
3 not made.

4 “(d) The Mayor shall transmit the estimates of the actuary to the Retirement Board, the
5 Secretary of the Treasury, and the Council and the change in benefits shall not become effective
6 until the end of a 30-day period of review, which shall begin on the date that the 3 required
7 transmittals have been effected.”.

8 Sec. 1063. Applicability.

9 This subtitle shall apply as of October 1, 20132012.

10 **SUBTITLE G. FINANCIAL DISCLOSURE AND ETHICS REFORM**
11 **CLARIFICATION**

12 Sec. 1071. Short title.

13 This subtitle may be cited as the “Financial Disclosure and Ethics Reform Clarification
14 Amendment Act of 2012”.

15 Sec. 1072. The Board of Ethics and Government Accountability Establishment and
16 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
17 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

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

19 (1) Strike the phrase “October 2nd” and insert the phrase “May 15th” in its place.

20 (2) Strike the phrase “October 1st” and insert the phrase “May 15th” in its place.

21 (3) Strike the phrase “November 2nd” and insert the phrase “June 15th” in its
22 place.

23 (b) Section 225 (D.C. Official Code § 1-1162.25) is amended as follows:

24 (1) Subsection (a) is amended by striking the phrase “October 2nd” and inserting
25 the phrase “May 15th” in its place.

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

2 (A) Strike the phrase “September 1st” and insert the phrase “April 15th” in
3 its place.

4 (B) Strike the phrase “September 15th” and insert the phrase “May 1st” in
5 its place.

6 (c) A new section 310a is added to read as follows:

7 “Sec. 310a. Fund balance requirements of principal campaign committees.

8 “Within the limitations specified in this act, any surplus, residual, or unexpended
9 campaign funds received by or on behalf of an individual who seeks nomination for election, or
10 election to office, shall be:

11 “(1) Contributed to a political party for political purposes;

12 “(2) Used to retire the proper debts of his or her political committee that received
13 the funds;

14 “(3) Transferred to a political committee, a charitable organization in accordance
15 with D.C. Official Code § 47-1803.03(a)(8) or, in the case of an elected official, an established
16 constituent services fund; or

17 “(4) Returned to the donors as follows:

18 “(A) In the case of an individual defeated in an election, within 6 months
19 following the election;

20 “(B) In the case of an individual elected to office, within 6 months
21 following the election; and

22 “(C) In the case of an individual ceasing to be a candidate, within 6
23 months thereafter.”.

24 (d) Section 601 (D.C. Official Code § 1-1164.01) is amended as follows:

25 (1) Subsection (b) is amended by adding a sentence at the end to read as follows:

1 | “The Elections Board shall enforce Title II, Subtitle C, until October 1, 2012,
2 after which pending matters shall be transferred to the Ethics Board for enforcement.”.

3 (2) Subsection (c) is amended by striking the phrase “October 1, 2012,” and
4 inserting the phrase “October 1, 2012, except that the Office of Campaign Finance shall
5 administer and enforce the subtitle, including receiving and reviewing the necessary disclosures,
6 until January 1, 2013.” in its place.

7 Sec. 1073. Any matter arising after January 29, 2012 from a violation of Title I, Subtitle
8 C of the Board of Ethics and Government Accountability Establishment and Comprehensive
9 Ethics Reform Emergency Amendment Act of 2012, effective January 29, 2012 (D.C. Act 19-
10 298; 59 DCR 683), or Title II, Subtitle C of the Board of Ethics and Government Accountability
11 Establishment and Comprehensive Ethics Reform Amendment Act of 2012, effective April 27,
12 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq*), may be enforced by the
13 Elections Board until October 1, 2012, after which pending matters shall be transferred to the
14 Ethics Board for enforcement.

15 Sec. 1074. Applicability.

16 Section 1072(a) and (b) shall apply as of January 1, 2013.

17 **SUBTITLE H. HOME RULE ACT 40TH ANNIVERSARY**

18 Sec. 1081. Short title.

19 This subtitle may be cited as the “Home Rule Act 40th Anniversary Celebration and
20 Commemoration Act of 2012”.

21 Sec.1082. Definitions.

22 | For the purposes of this act subtitle, the term:

23 (1) “Commission” means the Home Rule Act 40th Anniversary Celebration and
24 Commemoration Commission established in section 1083.

1 (2) “Fund” means the Home Rule 40th Anniversary Celebration and
2 Commemoration Fund established in section 1085.

3 (3) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5 Sec. 1083. Home Rule Act 40th Anniversary Celebration and Commemoration
6 Commission.

7 (a) There is established a Home Rule 40th Anniversary Celebration and Commemoration
8 Commission. The purpose of the Commission shall be to coordinate, plan, and promote events
9 related to the 40th anniversary of the adoption of the Home Rule Act, and to administer the
10 Fund.

11 (b) The Commission shall be composed of 5 members, as follows:

12 (1) One Chairperson, appointed by the Mayor;

13 (2) Two members appointed by the Mayor; and

14 (3) Two members appointed by the Chairman of the Council.

15 (c) The members of the Commission shall serve until the sunset of this subtitle.

16 (d) A vacancy in the Commission resulting from the death or resignation of a member
17 shall not affect its powers and shall be filled in the same manner in which the original
18 appointment was made.

19 (e) Each member of the Commission shall serve without compensation; provided, that
20 each member may be reimbursed for actual expenses pursuant to section 1108 of the District of
21 Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-
22 139; D.C. Official Code § 1-611.08).

23 (f) A majority of the members of the Commission shall constitute a quorum to conduct
24 business.

25 Sec. 1084. Staffing.

1 (a) The Commission shall appoint staff as needed who shall be paid from the Fund.

2 (b) Upon request of the Commission, the Mayor may detail staff, at no cost to the
3 Commission, at any time to assist the Commission in carrying out its duties.

4 Sec. 1085. Home Rule 40th Anniversary Celebration and Commemoration Fund.

5 (a) There is established as a nonlapsing fund the Home Rule Act 40th Anniversary
6 Celebration and Commemoration Fund, which shall be administered by the Commission, to be
7 used for the purposes set forth in subsection (c) of this section.

8 (b)(1) Deposits into the Fund shall include:

9 (A) Federal funds, if any;

10 (B) Gifts, grants, and donations; and

11 (C) Proceeds from the sale of memorabilia and information related to the
12 40th anniversary of the adoption of the Home Rule Act.

13 (2) All funds deposited into the Fund, and any interest earned on those funds,
14 shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia
15 at the end of a fiscal year, or at any other time, but shall be continually available for the uses and
16 purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject
17 to authorization by Congress.

18 (c) The Commission may expend monies in the Fund to celebrate and commemorate the
19 40th anniversary of the adoption of the Home Rule Act, including:

20 (1) Planning, developing, and executing appropriate programs and activities;

21 (2) Purchasing and selling merchandise related to the Home Rule Act, such as:

22 (A) Books;

23 (B) Pamphlets;

24 (C) Memorabilia; or

25 (D) Other material;

1 (3) Identifying appropriate displays and activities to showcase the history of home
2 rule and the quest by residents and officials instrumental in the passage of the Home Rule Act to
3 gain self-determination for the District of Columbia;

4 (4) Identifying possible amendments to the Home Rule Act;

5 (5) Outlining programs to involve the public in learning more about the Home
6 Rule Act and self-determination in the District;

7 (6) Making grants available, subject to the availability of funds in the Fund,
8 through a competitive process, for educational programs to public schools, public charter
9 schools, and other organizations;

10 (7) Encouraging educational, historical, civic, and other organizations to
11 participate in the anniversary activities to expand the understanding of the Home Rule Act and
12 self-determination in the District;

13 (8) Assuring that the observances appropriately recognize former mayors and
14 councilmembersmembers of the Council, and other people, who have contributed to the growth
15 and development of elected government in the District; and

16 (9) Facilitating other activities, such as receptions, parades, or festivals, and the
17 provision of food, snacks, entertainment, and non-alcoholic beverages to the general public
18 participating in the activities; and.

19 (10) Examining the Home Rule Act to determine the authority that shall be used
20 to advance democracy for the District.

21 Sec. 1086. Reporting requirement.

22 (a) Beginning on September 30, 2012, the Commission shall submit quarterly reports to
23 the Mayor and the Council, to include:

24 (1) An accounting of the revenue and expenditures of the Commission, including
25 a list of each:

1 (A) Gift, grant, or donation with a value of \$100 or greater, and the name,
2 address, and occupation of each donor; and

3 (B) Expenditure of \$100 or greater, including the name and address of the
4 recipient;

5 (2) A summary of the proposed activities programs; and

6 (3) Any recommendations for legislative or executive action.

7 (b) Not later than September 30, 2014, the Commission shall submit a final report to the
8 Mayor and the Council that includes:

9 (1) A final accounting of the revenue and expenditures of the Commission,
10 including a list of each gift, grant, or donation with a value of \$100 or greater, and the name,
11 address, and occupation of each donor;

12 (2) A summary of the Commission's activities; and

13 (3) Any recommendations for amendments to the Home Rule Act.

14 Sec. 1087. Implementation.

15 The Secretary of the District of Columbia shall be the implementing agency of the
16 provisions of this subtitle.

17 Sec. 10871088. Use of District funds.

18 Except as provided in section 1083(e), no local funds shall be used to carry out this
19 subtitle.

20 Sec. 10881089. Sunset.

21 This subtitle shall expire on October 1, 2014.

22 **SUBTITLE I. COMPREHENSIVE MERIT PERSONNEL AMENDMENTS**

23 Sec. 1091. Short title.

24 This subtitle may be cited as the "Merit Personnel Clarification and Leave Restoration
25 Amendment Act of 2012".

1 Sec. 1092. The District of Columbia Government Comprehensive Merit Personnel Act of
2 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
3 amended as follows:

4 (a) Section 902 (D.C. Official Code § 1-609.02) is amended by adding a new subsection
5 (d) to read as follows:

6 “(d) The provisions of this section shall not apply to employees of the Council of the
7 District of Columbia.”.

8 (b) Section 1203(h) (D.C. Official Code § 1-612.03(h)) is amended by striking the phrase
9 “20 days” wherever it appears and inserting the phrase “30 days” in its place

10 **SUBTITLE J. ANTI-DEFICIENCY ACT AMENDMENTS.**

11 Sec. 1101. Short title.

12 This subtitle may be cited as the “Anti-Deficiency Emergencies and Capital Projects Act
13 of 2012”.

14 Sec. 1102. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as
15 follows:

16 (a) Section 47-355.01 is amended by adding a new paragraph (2A) to read as follows:

17 “(2A) “Emergencies involving the safety of human life or the protection of
18 property” does not include ongoing, regular functions of government the suspension of which
19 would not imminently threaten the safety of human life or the protection of property.”.

20 (b) Section 47-355.02 is amended as follows:

21 (1) Paragraph (1) is amended by striking the phrase “agency or fund” and
22 inserting the phrase “agency, fund, or capital project” in its place.

23 (2) Paragraph (2) is amended by striking the phrase “unless authorized by law”
24 and inserting the phrase “unless authorized by law; provided, that this paragraph shall not
25 prohibit the acceptance of voluntary services or employment of personal services exceeding that

1 authorized by law during emergencies involving the safety of human life or the protection of
2 property” in its place.

3 (3) Paragraph (7) is amended by striking the word “or” at the end.

4 (4) Paragraph (8) is amended by striking the period at the end and inserting the
5 phrase “; or” in its place.

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

7 “(9) Make or authorize an expenditure or obligation for one capital project from
8 another capital project.”.

9 **SUBTITLE K. STATUTES AT LARGE.**

10 Sec. 1111. Short title.

11 This subtitle may be cited as the “Council Publication of Statutes-at-Large Amendment
12 Act of 2012”.

13 Sec. 1112. Section 205 of the District of Columbia Codification Act of 1975, effective
14 October 8, 1975 (D.C. Law 1-19; D.C. Official Code § 2-603), is amended as follows:

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

16 (1) Strike the phrase “Within 45 days” and insert the phrase “Beginning in 2013,
17 within 45 days” in its place.

18 (2) Strike the phrase “Mayor” and insert the phrase “Council” in its place.

19 (3) Strike the phrase “publish” and insert the phrase “publish online” in its place.

20 (b) Subsection (c) is repealed.

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

22 “(d) The District of Columbia Statutes-at-Large shall contain a certificate by the General
23 Counsel to the Council of the District of Columbia stating that it contains all the documents
24 required to be published pursuant to this section as of the date of the certificate.”.

1 Sec. 1113. Section 310 of the District of Columbia Administrative Procedure Act,
2 effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-560), is amended by striking
3 the phrase “the District of Columbia Statutes-at-Large,”.

4 Sec. 1114. The District of Columbia Documents Act of 1978, effective March 6, 1979
5 (D.C. Law 2-153; D.C. Official Code § 2-611 *et seq.*), is amended as follows:

6 (a) Section 2(c) (D.C. Official Code § 2-611(c)) is amended by striking the phrase
7 “District of Columbia Statutes-at-Large, the District of Columbia Register, and the District of
8 Columbia Municipal Regulations” and inserting the phrase “the District of Columbia Register
9 and the District of Columbia Municipal Regulations” in its place.

10 (b) Section 3(1) (D.C. Official Code § 2-612(1)) is amended by striking the phrase
11 “District of Columbia Statutes-at-Large, the District of Columbia Register, and the District of
12 Columbia Municipal Regulations” and inserting the phrase “the District of Columbia Register
13 and the District of Columbia Municipal Regulations” in its place.

14 **SUBTITLE L. PROTECTING INJURED GOVERNMENT WORKERS.**

15 Sec. 1121. Short title.

16 This subtitle may be cited as the “Protecting Injured Government Workers Reform
17 Amendment Act of 2012”.

18 Sec. 1122. Title XXIII of the District of Columbia Government Comprehensive Merit
19 Personnel Act of 1978, Public Sector Workers’ Compensation, effective March 3, 1979 (D.C.
20 Law 2-139; D.C. Official Code § 1-623.01 *et seq.*), is amended as follows:

21 (a) Section 2302(b) and (c) (D.C. Official Code § 1-623.02(b) and (c)) are repealed.

22 (b) Section 2323(a-2)(4) (D.C. Official Code § 1-623.23(a-2)(4)) is amended by inserting
23 the phrase “In all medical opinions used under this section, the diagnosis or medical opinion of
24 the employee’s treating physician shall be accorded great weight over other opinions, absent
25 compelling reasons to the contrary” at the end of paragraph.

1 Sec. 1123. Applicability.

2 This subtitle shall apply upon certification by the Chief Financial Officer that sufficient
3 revenue is available in the June, September, or December 2012 revenue estimates to fund
4 subsection (a)(1) through (27) as set forth in the Revised Revenue Estimate Contingency Priority
5 List Act of 2012, as approved on second reading on June 5, 2012 (Enrolled version of Bill 19-
6 743).

7
8 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

9 **SUBTITLE A. UNEMPLOYMENT COMPENSATION ADDITIONAL**
10 **BENEFITS TRUST FUND STABILIZATION**

11 Sec. 2001. Short title.

12 This subtitle may be cited as the “Unemployment Compensation Additional Benefits
13 Trust Fund Stabilization Amendment Act of 2012”.

14 Sec. 2002. An Act To provide for unemployment compensation in the District of
15 Columbia, authorize appropriations, and for other purposes, approved August 28, 1935 (49 Stat.
16 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

17 (a) Section 3(c)(8)(C) (D.C. Official Code § 51-103(c)(8)(C)) is repealed.

18 (b) Section 7(i) (D.C. Official Code § 51-107(i)) is repealed.

19 **SUBTITLE B. UNEMPLOYMENT COMPENSATION CLAIM PROCESSING**
20 **EFFICIENCY AMENDMENT ACT**

21 Sec. 2011. Short title.

22 This subtitle may be cited as the “Unemployment Compensation Claim Processing
23 Efficiency Amendment Act of 2012”.

24 Sec. 2012. Section 11 of An Act To provide for unemployment compensation in the
25 District of Columbia, authorize appropriations, and for other purposes, approved August 28,

1 1935 (49 Stat 951; D.C. Official Code § 51-111), is amended by adding a new subsection (k) to
2 read as follows:

3 “(k)(1) Notwithstanding any other provision of this act, all correspondence, notices,
4 determinations, or decisions required for the administration of this act may be transmitted to
5 claimants, employers, or necessary parties by electronic mail or other means of communication
6 as the claimant, employer, or necessary party may select from the alternative methods of
7 communication approved by the Director. The Director shall issue a list of such approved
8 methods of communication within 45 days of the effective date of the Unemployment
9 Compensation Claim Processing Efficiency Amendment Act of 2012, as approved by the
10 Committee of the Whole on May 15, 2012 (Committee print of Bill 19-743).

11 “(2) Notwithstanding any other provision of this act, all correspondence, notices,
12 determinations, or decisions issued by the Director may be signed by an electronic signature that
13 complies with the requirements of D.C. Official Code § 28-4917 and Mayor’s Order 2009-118,
14 issued June 25, 2009.”.

15 **SUBTITLE C. ECONOMIC DEVELOPMENT SPECIAL ACCOUNT REVIVAL**
16 **AMENDMENT ACT**

17 Sec. 2021. Short title.

18 This subtitle may be cited as the “Economic Development Special Account Revival
19 Amendment Act of 2012”.

20 Sec. 2022. The National Capital Revitalization Corporation and Anacostia Waterfront
21 Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C.
22 Official Code § 2-1225.01 *et seq.*), is amended as follows:

23 (a) Section 102(g)(3) (D.C. Official Code § 2-1225.02(g)(3)) is amended to reads as
24 follows:

1 “(3) Operating funds transferred pursuant to this subsection shall be deposited
2 into the Economic Development Special Account established by section 301.”.

3 (b) Section 301 (D.C. Official Code § 2-1225.21) is revived as of September 14, 2011,
4 and amended to read as follows:

5 “Sec. 301. Economic Development Special Account.

6 “(a) There is established as a nonlapsing fund the Economic Development Special
7 Account (“Account”), which shall be used solely for the purposes set forth in this section.

8 “(b)(1) Deposits into the Account shall include:

9 “(A) All operating funds transferred from the Anacostia Waterfront
10 Corporation Enterprise Fund, established by section 114 of the Anacostia Waterfront
11 Corporation Act of 2004, effective December 7, 2004 (D.C. Law 15-219; D.C. Official Code §2-
12 1223.14);

13 “(B) All operating funds transferred from the National Capital
14 Revitalization Corporation Enterprise Fund, established by section 9 of the National Capital
15 Revitalization Corporation Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C.
16 Official Code § 2-1219.08);

17 “(C) All fees, revenues, and other income from real property or other
18 assets formerly under the authority of the NCRC or the AWC, or any of their subsidiaries, which
19 include RLARC, SWDC, SWHC, and EDFC;

20 “(D) Funds authorized by an act of Congress, reprogramming, or intra-
21 District transfer to be deposited into the Account;

22 “(E) Any other monies designated by law to be deposited into the
23 Account; and

24 “(F) Interest on money deposited in the Account.

1 “(2) Funds deposited into the Account pursuant to this subsection shall be
2 maintained in segregated sub-accounts associated with each revenue source as the Chief
3 Financial Officer determines to be necessary.

4 “(3) The funds deposited into the Account, and any interest earned on those funds,
5 shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia
6 at the end of a fiscal year, or at any other time, but shall be continually available for the uses and
7 purposes set forth in subsections (c) and (d) of this section without regard to fiscal year
8 limitation, subject to authorization by Congress.

9 “(c) Monies credited to the Account shall be allocated annually to the Office of the
10 Deputy Mayor for Planning and Economic Development in an aggregate amount that is equal to
11 the total deposits and earnings that are estimated to remain unspent in the Account at the end of
12 the preceding fiscal year plus all deposits and earnings that are estimated to be received during
13 the fiscal year for which the allocation is made.

14 “(d) Monies may be used to pay the costs of operating and administering properties and
15 programs under the authority of the Deputy Mayor for Planning and Economic Development,
16 including properties and programs formerly operated and administered by the NCRC and the
17 AWC, to provide economic development assistance, including the provision of grants, loans, and
18 credit support or enhancement, and to implement other programs, projects, and initiatives that:

19 “(1) Are consistent with and in furtherance of the economic development goals or
20 activities of the District;

21 “(2) Further meeting the requirements of providing jobs for District residents,
22 creating affordable housing, and restoring the District’s waterways pursuant to Title IV;

23 “(3) Support the development of a workforce intermediary pursuant to section
24 403; or

1 “(4) Facilitate the implementation of the environmental standards pursuant to
2 subtitle B of Title IV.

3 “(e)(1) Fees, revenue, and other income that otherwise would be deposited into the
4 Account under this section, but that are subject to Community Development Block Grant
5 regulations shall be deposited into a segregated sub-account designated for Community
6 Development Block Grant funds and shall be subject to applicable reporting to the United States
7 Department of Housing and Urban Development.

8 “(2) The funds in the segregated sub-account shall be included as a segregated
9 line item in the budget of the Department of Housing and Community Development that the
10 Mayor is required to submit to the Council pursuant to section 442 of the District of Columbia
11 Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), and
12 shall be designated for use by the Deputy Mayor for Planning and Economic Development,
13 consistent with the requirements of the Community Development Block Grant Program.”.

14 Sec. 2023. Section 9027(b) of the Fiscal Year 2012 Budget Support Act of 2011,
15 effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6225), is repealed as of September 14,
16 2011.

17 **SUBTITLE D. DEPUTY MAYOR FOR PLANNING AND ECONOMIC**
18 **DEVELOPMENT LIMITED GRANT-MAKING AUTHORITY**

19 Sec. 2031. Short title.

20 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
21 Development Limited Grant-Making Authority Act of 2012”.

22 Sec. 2032. The Deputy Mayor for Planning and Economic Development shall have grant-
23 making authority for the purpose of providing:

24 (1) Funds in support of the Skyland project; and

1 (2) Commercial revitalization services for properties adjacent to the Skyland
2 project.

3 Sec. 2033. The Deputy Mayor for Planning and Economic Development may make
4 grants for fiscal year 2013 as follows:

5 (1) An amount of \$100,000 for sector consultants;

6 (2) An amount of \$350,000 for local business promotion;

7 (3) An amount of \$75,000 for regional economic development;

8 (4) An amount of \$50,000 for the Bank on DC program;

9 (5) An amount of up to \$700,000 for the purpose of providing interior tenant
10 improvement assistance to an entity that agrees to operate a table service restaurant at 3220
11 Pennsylvania Avenue, S.E., also commonly known as the Penn Branch Shopping Center; and
12 (6) An amount of \$800,000 for the purpose of providing assistance to a mixed-
13 use development located in Ward 7, including 100% affordable housing units supporting former
14 Lincoln Heights residents.

15 Sec. 2036. The Deputy Mayor for Planning and Economic Development shall have
16 grant-making authority for the purposes set forth in section 2037(c).

17 Sec. 2037. (a) There is established as a nonlapsing fund the Neighborhood Parade and
18 Festival Fund (“Fund”), which shall be administered by the Deputy Mayor for Planning and
19 Economic Development, to be used for the purposes set forth in subsection (c) of this section.

20 (b)(1) Deposits into the Fund shall include:

21 (A) Federal funds, if any; and

22 (B) Gifts, grants, and donations.

23 (2) All funds deposited into the Fund, and any interest earned on those funds,
24 shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia
25 at the end of a fiscal year, or at any other time, but shall be continually available for the uses and

1 purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject
2 to authorization by Congress.

3 (c) The Fund shall be used for parades, festivals, and any other celebrations sponsored
4 by a neighborhood or civic association.

5 Sec. 2038. The Deputy Mayor for Planning and Economic Development shall have the
6 authority to make grants and issue loans for the creation of affordable housing for District
7 residents.

8 **SUBTITLE E. INAUGURAL CELEBRATION AND HOLIDAY EXTENSION OF**
9 **HOURS ACT**

10 Sec. 2041. Short title.

11 This subtitle may be cited as the “Inaugural and Holiday Celebration Extension of Hours
12 Act of 2012”.

13 Sec. 2042. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as
14 follows:

15 (a) Section 25-723 is amended to read as follows:

16 “§ 25-723. Hours of sale and service for on-premises retail licensees and temporary
17 licensees.

18 “(a) The licensee under a hotel license may make available in the room of a registered
19 adult guest, and charge to the registered guest if consumed, closed miniature containers of
20 alcoholic beverages at all hours on any day of the week.

21 “(b) Except as provided in § 25-724 and subsections (c), (d), and (e) of this section, the
22 licensee under a on-premises retailer’s license or a temporary license may sell or serve alcoholic
23 beverages on any day and at any time except between the following hours:

24 “(1) 2:00 a.m. and 8:00 a.m., Monday through Friday, excluding District and
25 federal holidays; and

1 “(2) 3:00 a.m. and 8:00 a.m. on Saturday and Sunday, excluding District and
2 federal holidays.

3 “(c)(1) Except as provided in § 25-724, the licensee under an on-premises retailer’s
4 license or a temporary license may sell or serve alcoholic beverages until 4:00 a.m. and operate
5 24 hours a day during the following times:

6 “(A) On a District or federal holiday;

7 “(B) The Saturday and Sunday preceding Memorial Day and Labor Day,
8 as set forth in section 1202(a) of the District of Columbia Government Comprehensive Merit
9 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
10 612.02(a)); and

11 “(C) The Saturday and Sunday adjacent to January 1 (New Year’s Day)
12 and July 4 (Independence Day); except, that if the holiday under this subparagraph occurs on a
13 Tuesday, Wednesday, or Thursday, this subparagraph shall not apply.”.

14 “(2) A licensee operating under an on-premises retailer’s license shall not be
15 required to obtain Board approval to sell or serve alcoholic beverages and operate in accordance
16 with paragraph (1) of this subsection.

17 “(3) This subsection shall not apply during Inaugural Week, as defined in
18 subsection (e).

19 “(d)(1) Except as provided in § 25-724, during the beginning of daylight savings time
20 pursuant to § 28-2711, on the second Sunday in March of each year, a licensee under an on-
21 premises retailer’s license may sell and serve alcoholic beverages between 3:00 a.m. and 4:00
22 a.m., if the licensee:

23 “(A) Registers with the Board;

24 “(B) Pays a registration fee of \$200; and

1 “(C) Provides written notification, no later than 10 days before the
2 beginning of daylight savings time, to the Board and the Metropolitan Police Department of its
3 extended hours of operation.

4 “(2) The fees collected pursuant to this subsection shall be used to fund the
5 Reimbursable Detail Subsidy Program in the ABRA.

6 “(3) A violation of paragraph (1) of this subsection shall constitute a secondary
7 tier violation subject to the penalties set forth in § 25-830(d).

8 “(e)(1) Every 4 years, beginning in 2013, the week of January 15 through January 21,
9 shall be designated “Inaugural Week.” Except as provided in § 25-724, during Inaugural Week,
10 a licensee under an on-premises retailer’s license or a temporary license may sell or serve
11 alcoholic beverages until 4 a.m. and operate 24 hours a day if the licensee:

12 “(A) Provides written notification and a public safety plan, no later than
13 January 7, to the Board and the Metropolitan Police Department of its hours of operation; and

14 “(B) Pays the following fee for each day it will serve alcohol pursuant to
15 this subsection:

16 “(i) \$250 for a CN licensee;

17 “(ii) \$100 for a CR or CT licensee; and

18 “(iii) \$50 for any other licensee.

19 “(2) A licensee operating under an on-premises retailer’s license shall not be
20 required to obtain Board approval to sell or serve alcoholic beverages until 4:00 a.m. and operate
21 24 hours a day during Inaugural Week.”.

22 “(g) Within one year of the effective date of this act, the Mayor shall transmit to the
23 Council a report on the effect of the bar hours extension on local communities and its impact on
24 liquor stores. The report shall include an assessment from the Metropolitan Police Department on
25 the number of reported incidents related to the bar hours extension. The report shall also include

1 | an estimate from the Office of the Chief Financial Officer on the revenue implications of the bar
2 | hours extension.”.

3 | (b) Section 25-827 is amended by adding a new subsection (d) to read as follows:

4 | “(d) The Chief of Police may, without a hearing, summarily revoke, suspend, or restrict a
5 | licensee’s privilege to extended hours of operation under subsection § 25-723(c), (d), and (e) if
6 | the licensee’s operation presents a demonstrated danger to the health, safety, or welfare of the
7 | public. A licensee may seek review of the summary revocation, suspension, or restriction
8 | pursuant to § 25-826(c) and (d).”.

9 | Section 2043. Reporting requirement.

10 | Within one year of the effective date of the subtitle, the Mayor shall transmit to the
11 | Council a report on the extensions of hours of operation for licensees licensed to sell and serve
12 | alcoholic beverages set forth in D.C. Official Code § 25-723(c), (d), and (e), and the effect of the
13 | extensions on liquor store hours set forth in the Off-Premises Alcohol Act of 2012, passed on
14 | 2nd reading on June 5, 2012 (Enrolled version of Bill 19-743), which amends D.C. Official Code
15 | § 25-722. The report shall include:

16 | “(1) The effect of the extensions on local communities;

17 | “(2) An assessment from the Metropolitan Police Department on the number of
18 | reported incidents related to the extensions; and

19 | “(3) An estimate from the Office of the Chief Financial Officer on the revenue
20 | implications of the extensions.”.

21 | **SUBTITLE F. OFF-PREMISES ALCOHOL**

22 | Sec. 2051. Short title.

23 | This subtitle may be cited as the “Off-Premises Alcohol Act of 2012”.

24 | Sec. 2052. Section 25-722 of the District of Columbia Official Code is amended as
25 | follows:

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

2 (1) Strike the phrase “9:00 a.m.” and insert the phrase “7:00 a.m.” in its place.

3 (2) Strike the phrase “each year” and insert the phrase “each year, subject to
4 voluntary agreements pursuant to § 25-446” in its place.

5 (b) Subsection (b) is amended as follows:

6 (1) Strike the phrase “9:00 a.m.” and insert the phrase “7:00 a.m.” in its place.

7 (2) Strike the phrase “on Sundays” and insert the phrase “on Sundays, subject to
8 the voluntary agreements pursuant to § 25-446” in its place.

9 **SUBTITLE G. GASOLINE AND FUEL PUMP OCTANE MEASUREMENT**
10 **AMENDMENT ACT**

11 Sec. 2061. Short title.

12 This subtitle may be cited as the “Gasoline and Fuel Pump Octane Measurement
13 Amendment Act of 2012”.

14 Sec. 2062. An Act To establish standard weights and measures for the District of
15 Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the
16 District of Columbia, and for other purposes, approved March 3, 1921 (41 Stat. 1217; D.C.
17 Official Code § 37-201.01 *et seq.*), is amended by adding a new section 18a to read as follows:

18 “Sec. 18a. Gasoline and fuel pump octane measurement.

19 “(a) The Director shall:

20 “(1) Take samples of automotive fuel wherever it is offered for sale or use in the
21 District of Columbia;

22 “(2) Inspect and test on at least an annual basis and on a random, unannounced
23 basis the octane levels of the gasoline dispensed at each gasoline pump.

24 “(3) Maintain records of all inspections;

1 “(4) If determined to be necessary, at the Director’s discretion, enter into
2 contractual agreements with qualified laboratories as a cost-saving measure for the purpose of
3 analyzing automotive fuel samples if the octane level of the automotive fuel is questioned; and

4 “(5) Promulgate rules for the enforcement and administration of this act, which
5 may include the adoption by reference of applicable regulations issued by the Federal Trade
6 Commission governing the certification, disclosure, posting, and labeling of automotive fuel.

7 “(b) The Director may conduct investigations to determine compliance with this act.

8 “(c) If the Director determines that an automotive fuel sample does not conform with the
9 standards set out by this act or rules promulgated pursuant to this act, the Director may take any
10 or all of the following actions to prohibit the sale of the nonconforming automotive fuel or to
11 prohibit the use of the nonconforming dispensing system, storage tank, or other dispensing
12 device:

13 “(1) Seal and mark as sealed the storage tanks from which the sample was drawn
14 or the nonconforming label attached;

15 “(2) Condemn and mark as condemned the dispensing system, storage tank, or
16 other dispensing device from which the sample was obtained or on which the nonconforming
17 label is attached; or

18 “(3) Issue civil infractions under the Department of Consumer and Regulatory
19 Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official
20 Code § 2-1801.01 *et seq.*).

21 “(d) If the Director condemns the dispensing system, storage tank, or other dispensing
22 device, the Director may immediately seize and seal, to prevent further sales, any dispensing
23 system, storage tank, or other dispensing device from which automotive fuel is sold or offered
24 for sale in violation of this act or rules promulgated pursuant to this act.

1 “(e)(1) No automotive fuel may be sold or offered for sale unless approved by the
2 Director. The Director shall post, in a conspicuous place on the premises where a dispensing
3 system, storage tank, or other dispensing device has been condemned, a notice stating that the
4 condemnation has taken place, the grounds for the condemnation, and warning that it shall be
5 unlawful to break, mutilate, or destroy any notice, seal, or order issued by the Director regarding
6 the condemnation.

7 “(2) The notice required under this subsection shall remain posted until the
8 Director has reinspected the condemned dispensing system, storage tank, or other dispensing
9 device and determined it to be in compliance.

10 “(f) The Director may assess a civil penalty of not more than:

11 “(1) \$5,000 upon a retailer who sells or offers for sale automotive fuel from any
12 dispensing system, storage tank, or other dispensing device which has not been labeled in
13 accordance with the provisions of this act or rules promulgated pursuant to this act;

14 “(2) \$5,000 upon a retailer who allows a person, other than a person designated
15 by the Director, to break, mutilate, or destroy any notice, seal or order issued by the Director and
16 placed upon a dispensing system, storage tank, or other dispensing device used to deliver or store
17 automotive fuel: and

18 “(3) \$20,000 upon a retailer who sells or offers to sell automotive fuel from any
19 dispensing system, storage tank, or other dispensing device that has been condemned by the
20 Director.

21 “(g) In addition to civil penalties assessed pursuant to this act, the Director may suspend
22 a retailer’s business license for up to 90 days after the retailer’s third violation of this act.”.

23 **SUBTITLE H. RENT SUPPLEMENT PRIORITIZATION AND FUNDING**

24 Sec. 2071. Short title.

1 This subtitle may be cited as the “Rent Supplement Prioritization and Funding Act of
2 2012”.

3 Sec. 2072. Section 3(of the Housing Production Trust Fund Act of 1988, effective March
4 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), is amended by adding a new
5 subsection (b-5) to read as follows:

6 “(b-5)(1) Notwithstanding any provision of this act or any other law,, the Mayor may
7 transfer an amount not to exceed \$19,969,048 designated for deposit into the Rent Supplement
8 Fund, established by section 26a of the District of Columbia Housing Authority Act of 1999,
9 effective March 2, 2007 (D.C. Law 16-192;D.C. Official Code § 6-226) (“DCHA act”), toward
10 existing project-based and sponsor-based voucher assistance, as described in section 26b (of the
11 DCHA act (D.C. Official Code § 6-227), tenant-based assistance, as described in section 26c of
12 the DCHA act (D.C. Official Code § 6-228), and capital-based assistance, as described in section
13 26d of the DCHA act (D.C. Official Code § 6-229), and awarded under the Rent Supplement
14 Program, established in section 26a of the DCHA act (D.C. Official Code § 6-226), in or before
15 fiscal year 2010.

16 “(2) None of the funds transferred pursuant to paragraph (1) of this subsection
17 shall be used for administrative costs.”.

18 **SUBTITLE I. LOCAL JOB TRAINING QUARTERLY OUTCOME REPORT.**

19 Sec. 2081. Short title.

20 This subtitle may be cited as the “Department of Employment Services Local Job
21 Training Quarterly Outcome Report Act of 2012”.

22 Sec. 2082. Department of Employment Services quarterly reports on job training and
23 adult education programs.

24 (a) Beginning on February 15, 2013, the Department of Employment Services
25 (“Department”) shall transmit to the Council on a quarterly basis, and make available on the

1 Department's website, a report on the outcomes associated with all local funding administered by
2 the Department for job training or adult education purposes. The report shall include the
3 following outcome measures for job training or adult education participants delineated by job
4 training program and vendor:

5 (1) The amount of funding that the program or vendor, or that both the program
6 and the vendor, received;

7 (2) The number of individuals enrolled in job training or adult education;

8 (3) The classification of instructional program codes for which they were trained;

9 (4) The number and percentage of those participants who were referred to the job
10 training program or vendor who completed the job training or adult education program;

11 (5) The number and percentage of those participants who completed the job
12 training or adult education program who earned a General Educational Diploma, high school
13 diploma, or a noncredit or credit-bearing certificate or degree offered by licensed post-secondary
14 education and training programs or vendors;

15 (6) Among program participants who were unemployed at the start of the
16 program, the number and percentage of participants who completed the job training or adult
17 education program who found employment within 6 months of graduation;

18 (7) Among program participants who found employment within 6 months of
19 graduation, the average wage earned; and

20 (8) Among program participants who found employment within 6 months of
21 graduation, the number and percentage of participants who retained employment 6 months after
22 their initial start date.

23 (b) The report shall also include the following outcome measures for subsidized
24 employment programs, including the Transitional Employment Program ("TEP"), established
25 pursuant to section 2103 of the Transitional Employment Program and Apprenticeship Initiative

1 Establishment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
2 32-1331):

- 3 (1) The number of individuals participating, by month;
- 4 (2) The number of private-sector employers that hosted a participant;
- 5 (3) The number and percentage of participating residents who receive wages from
6 their employer in addition to their subsidized wage and the average amount of the additional
7 wages;
- 8 (4) The average length of placement in the subsidized jobs;
- 9 (5) The number and percentage of participants who have been hired into
10 unsubsidized jobs upon completion of the subsidized component of TEP or within 6 months of
11 participating in the program, and the average wages of those hired; and
- 12 (6) Among program participants who found unsubsidized employment, the
13 number and percentage of participants who retained unsubsidized employment for at least 6
14 months after their initial unsubsidized start date.

15 (c) The report shall also include the following outcome measures for training
16 employment programs, including the On-the-Job Training program, established pursuant to
17 section 2(a)(4) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-
18 46; D.C. Official Code § 32-241(a)(4), the:

- 19 (1) Number of individuals participating, by month;
- 20 (2) Number of private sector employers that hosted a participant;
- 21 (3) Average and median wages paid to participants who are then reimbursed to
22 the employer by the Department;
- 23 (4) Average amount and percentage paid of wage reimbursement per participant;
- 24 (5) Average duration of time participants spend in the training component of
25 program; and

1 (6) Number and percentage of participants who retain employment for an
2 additional 6 months beyond the completion of the training at the same wages and benefits as
3 those in comparable positions who are not associated with a program.

4 **SUBTITLE J. COMPREHENSIVE AFFORDABLE HOUSING INVENTORY.**

5 Sec. 2091. Short title.

6 This subtitle may be cited as the “Department of Housing and Community Development
7 Comprehensive Tracking Plan for Affordable Housing Inventory Act of 2012”.

8 Sec. 2092. Definitions.

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

10 (1) “Affordable housing unit” means a unit of housing that is offered for rent or
11 for sale for residential occupancy and as a result of a federal or District subsidy is made available
12 and affordable to households whose income levels are less than or equal to 120% of the area
13 median income.

14 (2) “Area median income” means:

15 (A) For a household of 4 persons, the area median income for a household
16 of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic
17 calculation provided by the United States Department of Housing and Urban Development;

18 (B) For a household of 3 persons, 90% of the area median income for a
19 household of 4 persons;

20 (C) For a household of 2 persons, 80% of the area median income for a
21 household of 4 persons;

22 (D) For a household of one person, 70% of the area median income for a
23 household of 4 persons; and

24 (E) For a household of more than 4 persons, the area median income for a
25 household of 4 persons, increased by 10% for each household member exceeding 4 persons (for

1 example, the area median income for a family of 5 shall be 110% of the area median income for
2 a family of 4; the area median income for a household of 6 shall be 120% of the area median
3 income for a family of 4).

4 (3) "Extremely low-income" means a household income equal to 30% or less of
5 the area median income.

6 (4) "Homeless" means a person:

7 (A) Who is lacking a fixed, regular residence that provides safe housing,
8 and the financial means to acquire such a residence immediately; or

9 (B) Whose primary nighttime residence is:

10 (i) A supervised publicly or privately operated shelter or
11 transitional housing facility designed to provide temporary living accommodations; or

12 (ii) A public or private place not designed for, or ordinarily used
13 as, a regular sleeping accommodation for human beings.

14 (5) "Low-income" means a household income equal to, or less than, 80% of the
15 area median income and greater than 50% of the area median income.

16 (6) "Very low-income" means a household income equal to, or less than, 50% of
17 the area median income and greater than 30% of the area median income.

18 Sec. 2093. Inventory tracking requirements.

19 No later than December 1, 2012, the Mayor shall transmit to the Council an
20 implementation plan that details the budget and resources necessary to begin tracking the
21 Department of Housing and Community Development's ("DHCD") affordable housing
22 inventory. The plan shall explicate the process and analyze the budget and resources necessary
23 to begin tracking the number of:

24 (1) Affordable housing units that remain under affordability restrictions
25 administered by DHCD, including the number of units that are:

- 1 (A) Made affordable to low-income households;
- 2 (B) Made affordable to very low-income households;
- 3 (C) Made affordable to extremely low-income households;
- 4 (D) Made available for homeownership;
- 5 (E) Made available for rental; and
- 6 (F) Specifically allocated for :
- 7 (i) Individuals diagnosed with HIV/AIDS;
- 8 (ii) Individuals diagnosed with a mental illness;
- 9 (iii) Individuals diagnosed as deaf or hearing impaired;
- 10 (iv) Individuals, and families, who are homeless;
- 11 (v) Individuals who are victims of domestic violence; and
- 12 (vi) Individuals diagnosed with a developmental disability;
- 13 (2) Low-income, very low-income, and extremely low-income households and
- 14 individuals currently residing in the affordable housing units described in paragraph (1) of this
- 15 section including those listed in paragraph (1)(f)(i) through (vi) of this section;
- 16 (3) Affordable housing units that will exit affordability restrictions within the
- 17 next 5 years, 10 years, 20 years, 30 years, or 40 years, including a delineation of their
- 18 affordability levels and whether they are allocated for those individuals listed in paragraph
- 19 (1)(F)(i) through (vi) of this section; and
- 20 (4) Affordable housing units in each ward, including a delineation of their
- 21 affordability levels and whether they are allocated for those individuals listed in paragraph
- 22 (1)(F)(i) through (vi) of this section.

23 **SUBTITLE K. WOMEN-OWNED BUSINESS EXPENDITURE REPORTING.**

24 Sec. 2101. Short title.

1 This subtitle may be cited as the “Women-Owned Business Expenditure Reporting Act
2 of 2012”.

3 Sec. 2102. Women-owned business expenditure reports.

4 (a) By May 1, 2013, the Mayor shall provide to the Council a report of obligations and
5 expenditures made by the District to woman-owned businesses through the first 2 quarters of
6 fiscal year 2013, delineated by the funding source for the expenditure or obligation (local,
7 federal, capital, or other).

8 (b) For the purposes of this section, the term “woman-owned business” means a business:

9 (1) That meets the definition of a local business enterprise as described in section
10 2331 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance
11 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31)

12 (“SLDBE act”), and a small business enterprise as described in section 2332 of the SLDBE act;

13 (2) That is at least 51% owned by one or more women, or, in the case of any
14 publicly owned business, at least 51% of the stock of the business is owned by one or more
15 women; and

16 (3) Whose management and daily business operations are controlled by one or
17 more women.

18 **SUBTITLE L. DISTILLERY TASTING PERMIT AND CONSUMER SALES.**

19 Sec. 2111. Short title.

20 This subtitle may be cited as the “Distillery Manufacturer’s Tasting Permit and
21 Consumer Sales Act of 2012”.

22 Sec. 2112. Chapter 1 of Title 25 of the District of Columbia Official Code is amended as
23 follows:

24 (a) Section 25-110(a)(1)(A)(ii) is amended by striking the phrase “of the United States
25 for resale.” and inserting the phrase “of the United States for resale or to a consumer. The

1 licensee may sell spirits to the consumer only in barrels and sealed bottles, which shall not be
2 opened after sale or the contents consumed on the premises where sold.” in its place.

3 (b) Section 25-118 is amended as follows:

4 (1) Subsection (a) is amended by striking the phrase “manufacturer’s license,
5 class B” and inserting the phrase “manufacturer’s license, class A and B” in its place.

6 (2) Subsection (e) is amended as follows:

7 (A) Strike the phrase “The holder” and insert the phrase “The holder of a
8 manufacturer’s license, class A, may utilize a portion of the licensed premises for the sampling
9 of spirits, and the holder” in its place.

10 (B) Strike the phrase “beer between” and insert the phrase “beer,
11 between” in its place.

12 **SUBTITLE M. FILM DC ECONOMIC INCENTIVE AMENDMENTS.**

13 Sec. 2121. Short title.

14 This subtitle may be cited as the “Film DC Economic Incentive Amendment Act of
15 2012”.

16 Sec. 2122. Section 2c of the Film DC Economic Incentive Act of 2006, effective March
17 3, 2010 (D.C. Law 18-111; D.C. Official Code § 39-501.03), is amended as follows:

18 (a) Paragraph (2) is amended by striking the phrase “production is completed, including”
19 and inserting the phrase “production is completed, excluding above-the-line crew such as” in its
20 place.

21 (b) Paragraph (8) is amended by striking the phrase “below-the-line crew members” and
22 inserting the phrase “below-the-line crew members who are not residents of the District” in its
23 place.

24 (c) Paragraph (10)(B) is amended as follows:

1 (1) Strike the phrase “the purchase of tangible” and insert the phrase “the
2 purchase of tangible or intangible” in its place.

3 (2) Strike the phrase “ lighting, wardrobe, catering, lodging” and insert the phrase
4 “lighting, wardrobe, catering, lodging, use of facilities or equipment, use of soundstages or
5 studios, location fees, and related services, excluding services provided by the District
6 government, and materials,” in its place.

7 (3) Strike the phrase “or salaried employee” and insert the phrase “or salaried
8 employee, including above-the line crew such as producers, directors, writers and actors, and
9 below-the-line crew who are residents of the District, and” in its place.

10 **SUBTITLE N. HOUSING PRODUCTION AND JOB TRAINING FUNDING.**

11 Sec. 2131. Short title.

12 This subtitle may be cited as the “Housing Production and Job Training Funding Act of
13 2012”.

14 Sec. 2132. Section 1 of An Act Authorizing the sale of certain real estate in the District
15 of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211;
16 D.C. Official Code § 10-801), is amended by adding a new subsection (d-4) to read as follows:

17 “(d-4)(1) Notwithstanding subsections (a) through (d) and subsection (e) of this section,
18 the Mayor shall dispose of the property located at 35-41 K Street, N.E., designated for tax and
19 assessment purposes as Lot 0838 in Square 0675 (“K Street property”), through a solicitation to
20 be issued no later than October 1, 2013; provided, that if the contingency set forth in paragraph
21 (3) of this subsection is met, the Mayor may dispose of the K Street property. through a
22 solicitation to be issued no later than October 1, 2013.

23 “(2)(A) Except as provided in paragraph (3) of this subsection, the net proceeds
24 from the disposition by sale, as authorized by subsection (b)(8) of this section, of the K Street
25 property shall be deposited into the Housing Production Trust Fund, established by section 3 of

1 the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202;
2 D.C. Official Code § 42-2802) (“HPTF”), unless the HPTF has been fully funded pursuant to
3 subparagraph (B) of this paragraph and paragraph (3) of this subsection.

4 “(B) If, before the K Street property disposition the Chief Financial
5 Officer certifies that there is revenue available to fund section 10002(a)(4) of the Revised
6 Revenue Estimate Contingency Priority List Act of 2012, passed on May 8, 2012 (Enrolled
7 version of Bill 19-743) (“priority number 4”), the certified available revenue shall be deposited
8 into the HPTF.

9 “(3) If, after the K Street property disposition and the deposit of the net proceeds
10 into the HPTF, the Chief Financial Officer certifies that there is revenue available to fund
11 priority number 4, the certified available revenue, less any shortfall of the \$18 million provided
12 for in priority number 4 that was not deposited into the HPTF, which shall be deposited into the
13 HPTF, shall be available to fund NoMa in accordance with priority number 4.”.Sec. 2132.
14 Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no
15 longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code
16 § 10-801), is amended by adding a new subsection (d-4) to read as follows:

17 “(d-4)(1) Notwithstanding subsections (a) through (d) and subsection (e) of this section,
18 the Mayor shall dispose of the property located at 35-41 K Street, N.E., designated for tax and
19 assessment purposes as Lot 0838 in Square 0675, through a solicitation to be issued no later than
20 October 1, 2013.

21 “(2) The proceeds from the disposition of the property described in paragraph (1)
22 of this subsection shall not be deposited into the General Fund but shall be deposited into the
23 Housing Production Trust Fund, established by section 3 of the Housing Production Trust Fund
24 Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802).”.

1 Sec. 2133. The Chief Financial Officer shall recognize \$550,000 of the local funds
2 revenue certified for fiscal year 2012 in the revised revenue estimate of the Chief Financial
3 Officer dated February 29, 2012, as fiscal year 2013 revenue for adult job training under the
4 Office of the State Superintendent of Education.

5 **SUBTITLE O. BID AMENDMENT.**

6 Sec. 2141. Short title.

7 This subtitle may be cited as the “Business Improvement Districts Amendment Act of
8 2012”.

9 Sec. 2142. Section 21 of the Business Improvement Districts Act of 1996, effective May
10 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20), is amended as follows:

11 (a) The existing text is redesignated as subsection (a).

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

13 “(b) Notwithstanding subsection (a) of this section, beginning in fiscal year 2013, the
14 Mayor shall not issue a grant using funds from the Commercial Revitalization Assistance Fund,
15 established by section 2376 of the Small, Local, and Disadvantaged Business Enterprise
16 Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C.
17 Official Code § 2-218.76), for the purpose of providing commercial revitalization services or
18 CleanTeam services, including ambassador services and the removal of trash, graffiti, illegal
19 posters, and snow within a geographic area that is subject to a BID.”.

20 Sec. 2143. Section 2376 of the Small, Local, and Disadvantaged Business Enterprise
21 Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C.
22 Official Code § 2-218.76), is amended by striking the phrase “commercial revitalization
23 services” and inserting the phrase “commercial revitalization services; provided, that the Fund
24 shall not be used to provide commercial Clean Team services within a geographic area that is
25 subject to a Business Improvement District, as defined in section 3(7) of the Business

1 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official
2 Code § 2-1215.02(7)); except, that beginning in fiscal year 2013, the commercial Clean Team
3 services shall include service in the vicinity of the intersection of Minnesota Avenue, S.E., and
4 Pennsylvania Avenue, S.E.” in its place.

5 **SUBTITLE P. PENNSYLVANIA AVENUE, S.E., RETAIL PRIORITY AREA**

6 Sec. 2151. Short title.

7 This subtitle may be cited as the “Pennsylvania Avenue, S.E., Retail Priority Area
8 Amendment Act of 2012”.

9 Sec. 2152. Section 3(6) of the Great Streets Neighborhood Retail Priority Areas
10 Approval Resolution of 2007, effective July 10, 2007 (D.C. Res. 17-257; 54 DCR 7194), is
11 amended by striking the phrase “10 million” and inserting the phrase “15 million” in its place.

12 The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C.
13 Official Code § 2-1217.71 *et seq.*), is amended as follows:

14 (a) Section 2 (D.C. Official Code § 2-1217.71) is amended as follows:

15 (1) Paragraph (10) is amended to read as follows:

16 “(10) “Retail Priority Area” means:

17 “(A) The Downtown Retail Priority Area;

18 “(B) The Pennsylvania Avenue, S.E., Retail Priority Area; and

19 “(C) Any other area or areas of the District so designated by the Mayor
20 and approved by the Council in accordance with this act.”.

21 (2) A new paragraph (8A) is added to read as follows:

22 “(8A) “Pennsylvania Avenue, S.E., Retail Priority Area” means the record lots
23 that front Pennsylvania Avenue, S.E., between Fairlawn Avenue, S.E., and Southern Avenue,
24 S.E.”.

1 Sec. 2153(b) Section 4(b)(2) of the Retail Incentive Act of 2004, effective September 8,
2 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(b)(2)),Section 4 (D.C. Official Code §
3 2-1217.73) is amended as follows:by striking

4 (1) Subsection (b)(2) is amended by striking the phrase “\$30 million” and inserting the
5 phrase “\$25 million” in its place.

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

7 “(f) The Pennsylvania Avenue, S.E., Retail Priority Area is designated as a Retail
8 Priority Area, and the issuance of Bonds with respect to the Pennsylvania Avenue, S.E., Retail
9 Priority Area, not to exceed \$5 million, is approved. The latest date for the issuance of the
10 Bonds is September 30, 2015, and the base year for the calculation of Available Sales Tax
11 Revenues and Available Real Property Tax Revenues shall be the fiscal year beginning October
12 1, 2012.”.

13 (c) Section 5(a) (D.C. Official Code § 2-1217.74(a)) is amended by striking the phrase
14 “Downtown Retail Priority Area,” and inserting the phrase “Downtown Retail Priority Area, or
15 upon the effective date of the Pennsylvania Avenue, S.E., Retail Priority Area Amendment Act
16 of 2012, as approved by the Committee on the Whole on May 15, 2012 (Committee print of Bill
17 19-743), in the case of the Pennsylvania Avenue, S.E., Retail Priority Area,” in its place.

18 **SUBTITLE Q. H STREET NE RETAIL PRIORITY AREA AMENDMENTS**

19 Sec. 2161. Short Title.

20 This subtitle may be cited as the “H Street NE Retail Priority Area Incentive Amendment
21 Act of 2012”.

22 Sec. 2162. The H Street NE Retail Priority Area Incentive Act of 2010, effective April 8,
23 2011 (D.C. Law 18-704; D.C. Official Code § 1-325.171 *et seq.*), is amended as follows:

24 (a) Section 2 (D.C. Official Code § 1-325.171) is amended as follows:

1 (1) Paragraph (6) is amended by adding the phrase “or services” after the phrase
2 “personal property”.

3 (b) Section 4 (D.C. Official Code § 1-325.173) is amended as follows:

4 (1) Subsection (b) is amended to read as follows:

5 “(b) Eligible retail development projects shall include businesses engaged in the sale of
6 home furnishings, apparel, books, art, groceries, and general merchandise goods to specialized
7 customers or service-oriented businesses providing a direct service to specialized customers or
8 artistic endeavors, such as art galleries, theaters, or performing arts centers.. Special
9 consideration shall be given to retailbusinesses developments that include entrepreneurial and
10 innovative retail elements. Eligible retail development projects shall not include liquor stores,
11 restaurants, nightclubs, hair salons, barber shops, and phone stores, or businesses with 20 or
12 more locations in the United States.”.

13 **(2) Subsection (c)(3) is repealed.**

14
15 **SUBTITLE R. WORKERS’ COMPENSATION TRANSCRIPTION EFFICIENCY**

16 Sec. 2171. Short title.

17 This subtitle may be cited as the “Workers’ Compensation Transcription Efficiency
18 Amendment Act of 2012”.

19 Sec. 2172. Section 26(b) of the District of Columbia Workers’ Compensation Act of
20 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1525(b)), is amended by
21 striking the phrase “stenographically reported” in the first sentence and inserting the phrase
22 “reported stenographically or by such other method capable of producing an accurate transcript”
23 in its place.

1 **SUBTITLE S. WORKFORCE HOUSING PRODUCTION PROGRAM**
2 **AMENDMENT ACT OF 2012.**

3 Sec. 2181. Short title.

4 This subtitle may be cited as the “Workforce Housing Production Program Amendment
5 Act of 2012”.

6 Sec. 2182. Section 102 of the Workforce Housing Production Program Approval Act of
7 2006, effective March 14, 2007 (D.C. Law 16-278; D.C. Official Code § 6-1061.02), is amended
8 by adding new subsection (jm) to read as follows:

9 “(jm) Notwithstanding any other provision of law, City First Bank is authorized to release
10 up to \$1,800,000 located in an escrow account for City First Enterprises (“CTECFE”) to
11 CTECFE.

12 “(1) Within 30 days of the effective date of the Workforce Housing Production
13 Program Amendment Act of 2012 (“Amendment Act of 2012”), the land trust shall submit a
14 report to the Mayor and to the Council detailing:

15 “(A) The number of units that will be developed using the funds released
16 from escrow pursuant to this subsection;

17 “(B) The total number of units that will be developed, using funds
18 received by CTE pursuant this subsection and subsection (c) of this section, and the total cost per
19 unit;

20 “(C) Continued compliance with subsection (d) of this section.

21 “(2) The land trust shall utilize all the funds released from escrow pursuant to this
22 subsection within one year18 months of the effective date of the Amendment Act of 2012.

23 “(3) Within 60 days after the close of fiscal year 2012, the land trust shall submit
24 a report to the Mayor and the Council on the status of the funds released from escrow pursuant to
25 this subsection and the number of units that have been developed to date.

1 “(4) After CTE fully expends the funds released from escrow pursuant to this
2 subsection, or within one year after the effective date of the Amendment Act of 2012, whichever
3 is earlier, the Mayor shall submit a final report to the Council that shall include recommendations
4 for a permanent workforce housing program.

5 “(5) Within 60 days of CTE expending the funds released from escrow pursuant
6 to this subsection, the land trust shall file annual reports detailing continued compliance with
7 subsection (d) of this section.”.

8 **SUBTITLE UT. PROJECT-BASED AND SPONSOR-BASED LOCAL RENT**
9 **SUPPLEMENT FUNDING**

10 Sec. 2201191. Short title.

11 This subtitle may be cited as the “Local Rent Supplement Project-Based and Sponsor-
12 Based Funding Amendment Act of 2012”.

13 Sec. 2192202. Section 26b of the District of Columbia Housing Authority Act of 1999,
14 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-227), is amended by adding a
15 new subsection (e) to read as follows:

16 “(e) Beginning in fiscal year 2014, and for each fiscal year thereafter, the Authority
17 Subsidy shall include at least \$2,000,000 for project-based and sponsor-based voucher
18 assistance. This funding shall be in addition to any amount allocated for project-based and
19 sponsor-based voucher assistance as of October 1, 2012. In fiscal year 2013, the Authority shall
20 issue a Request for Proposals (“RFP”) for the awarding of these additional funds for project-
21 based and sponsor-based voucher assistance, in accordance with this section.”.

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

23 **SUBTITLE A. NOTICE OF UNCLAIMED PROPERTY MODERNIZATION ACT**

24 Sec. 3001. Short title.

1 This subtitle may be cited as the “Notice of Unclaimed Property Modernization Act of
2 2012”.

3 Sec. 3002. Section 417(a) of An Act Making appropriations to provide for the expenses
4 of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen
5 hundred and seventeen, and for other purposes, approved September 1, 1916 (39 Stat. 718; D.C.
6 Official Code § 5-119.10(a)), is amended as follows:

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

8 “(A) Notice of the location where a full description of the property can be
9 reviewed; and”.

10 (b) Paragraph (2) is amended to read as follows:

11 “(2) Post or cause to be posted in the Metropolitan Police Department
12 headquarters, where public notices are commonly or usually posted, a description of the
13 property, and a copy of the notice published in the newspaper of general circulation in the
14 District, and shall make a record of the date when such publication and the posting of the notices
15 are made; and”.

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

17 “(3) Post or cause to be posted on the Metropolitan Police Department website a
18 description of the property, and a copy of the notice published in the newspaper of general
19 circulation in the District, and shall make a record of the date when such publication and the
20 posting of the notices are made.”.

21 **SUBTITLE B. OAG CONTINGENCY FEE CONTRACT AUTHORIZATION**

22 Sec. 3011. Short title.

23 This subtitle may be cited as the “OAG Contingency Fee Contract Authorization Act of
24 2012”.

1 Sec. 3012. The Attorney General for the District of Columbia Clarification and Elected
2 Term Amendment Act of 2010, effective May 27, 2009 (D.C. Law 18-160; D.C. Official Code §
3 1-301.81 *et seq.*), is amended by adding a new section 106a to read as follows:

4 “Sec. 106a. Contingency fee contracts.

5 “(a)(1) The Attorney General may make contracts retaining private counsel to furnish
6 legal services, including representation in negotiation, compromise, settlement, and litigation, in
7 claims and other legal matters affecting the interests of the District of Columbia.

8 “(2) Each contract shall include such terms and conditions as the Attorney
9 General considers necessary or appropriate, including a provision specifying the amount of any
10 fee to be paid to the private counsel under the contract or the method for calculating that fee.
11 The amount of the fee payable for legal services furnished under any such contract shall not
12 exceed the fee that counsel engaged in the private practice of law in the District typically charges
13 clients for furnishing similar legal services, as determined by the Attorney General.

14 “(b) Notwithstanding any provision of federal or District of Columbia law, a contract
15 entered into by the District of Columbia pursuant to this section may provide that costs,
16 expenses, and fees that the private counsel charges for legal services are payable from the
17 amount recovered. In such circumstances, the costs, expenses, and fees need not be included in
18 an amount provided in an appropriations law.”.

19 **SUBTITLE C. FIRE AND EMERGENCY MEDICAL SERVICES OVERTIME**
20 **LIMITATION**

21 Sec. 3021. Short title.

22 This subtitle may be cited as the “Fire and Emergency Medical Services Overtime
23 Limitation Amendment Act of 2012”.

1 Sec. 3022. Section 1103(f) of the District of Columbia Government Comprehensive
2 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
3 611.03(f)), is amended as follows:

4 (a) Paragraph (2)(B) is amended by striking the phrase “For fiscal years 2011 and 2012”
5 and inserting the phrase “For fiscal years 2011, 2012, and 2013” in its place.

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

7 (1) Subparagraph (A) is amended by striking the phrase “For fiscal years 2011
8 and 2012” and inserting the phrase “For fiscal years 2011, 2012, and 2013” in its place.

9 (2) A new subparagraph (C) is added to read as follows:

10 “(C) Notwithstanding any other provision of this paragraph, the exemption
11 to the overtime limitation for the Fire Arson Investigator Armed (Canine Handler) set forth in
12 subparagraph (B) of this paragraph shall apply retroactively to fiscal year 2011.”.

13 Sec. 3023. Section 2 of An Act To amend the Act entitled “An Act to classify the
14 officers and members of the Fire Department of the District of Columbia, and for other
15 purposes”, approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat.
16 498; D.C. Official Code § 5-405), is amended as follows:

17 (a) Subsection (f) is amended by striking the phrase “2011 and 2012” and inserting the
18 phrase “2011, 2012, and 2013” in its place.

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

21 Sec. 3024. Section 202(c) of the Omnibus Public Safety Agency Reform Amendment
22 Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-441(c)), is
23 amended by striking the phrase “2011 and 2012” and inserting the phrase “2011, 2012, and
24 2013” in its place.

1 **SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION**
2 **MODIFICATION CLARIFICATION**

3 Sec. 3031. Short title.

4 This subtitle may be cited as the “Sentencing and Criminal Code Revision Modification
5 Clarification Amendment Act of 2012”.

6 Sec. 3032. The Advisory Commission on Sentencing Establishment Act of 1998,
7 effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended
8 as follows:

9 (a) Section 2 (D.C. Official Code § 3-101) is amended by adding a new subsection (c) to
10 read as follows:

11 “(c) The Commission is designated as a criminal justice agency for purposes of accessing
12 offender and sentencing related data required to perform the duties specified under this act.”.

13 (b) Section 2a(b) (D.C. Official Code § 3-101.01(b)) is amended by striking the year
14 “2014” and inserting the year “2016” in its place.

15 **SUBTITLE E. OFFICE OF UNIFIED COMMUNICATIONS E-911 FUND**
16 **CLARIFICATION**

17 Sec. 3041. Short title.

18 This subtitle may be cited as the “Office of Unified Communications E-911 Fund
19 Clarification Amendment Act of 2012”.

20 Sec. 3042. The Emergency and Non-Emergency Number Telephone Calling Systems
21 Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801
22 *et seq.*), is amended as follows:

23 (a) Section 603(a) (D.C. Official Code § 34-1802(a)) is amended as follows:

24 (1) Strike the phrase “The Fund shall be funded by a tax imposed under sections
25 604 and 604b” and insert the phrase “The Fund shall be funded by a tax imposed under 604,
26 604a, and 604b” in its place.

1 (2) Strike the phrase “All monies deposited into the Fund shall not revert to the
2 General Fund of the District of Columbia” and insert the phrase “All monies deposited into the
3 Fund shall not revert to, or be transferred to, the General Fund of the District of Columbia” in its
4 place.

5 (b) A new section 604a is added to read as follows:

6 “Sec. 604a. Additional revenues.

7 “(a) All revenues from the following sources shall be deposited into the Fund:

8 “(1) Steam (including arrearage payments) for the Correctional Treatment Facility
9 received by the District since October 1, 2007; and

10 “(2) Aggregate revenues in excess of \$88 million received in any one fiscal year
11 beginning on or after October 1, 2012, from fines paid due to automated photo enforcement;
12 except, that in fiscal year 2014, it shall be in excess of \$92.5 million.”.

13 Sec. 3043. Funds transfer.

14 (a) Section 802(a) of the Fiscal Year 2011 Transfer of Special Purpose Funds Act of
15 2010, effective April 8, 2011 (D.C. Law 18-370; 58 DCR 1008), is amended by striking the
16 “472,000” transfer from the 911 and 311 Assessment Fund (1630) within the Office of Unified
17 Communications (UCO) from the column entitled “FY 2012”.

18 (b) The source of funding for subsection (a) of this section shall be \$472,000 of the local
19 funds revenues certified for fiscal year 2012 in the revised revenue estimate of the Chief
20 Financial Officer dated February 29, 2012.

21 Sec. 3044. Applicability.

22 Section 3042(a)(2) and section 3043 shall apply as of October 1, 2011.

23 | **SUBTITLE 3xxF. FLEET REPLACEMENT, METROPOLITAN POLICE**
24 | **DEPARTMENT**

25 | Sec. 3051. Sec. xxx. Short title.

1 This subtitle may be cited as the “MPD Fleet Replacement Funding Designation Act of
2 2012”.

3 Sec. 3052Sec. xxx. The Chief Financial Officer shall recognize \$4,270,000 of the local
4 funds revenues certified for fiscal year 2012 in the revised revenue estimate of the Chief
5 Financial Officer dated February 29, 2012 as fiscal year 20123 revenue for paygo funds to
6 replace Metropolitan Police Department vehicles.

7 **TITLE IV. PUBLIC EDUCATION AND LIBRARIES**

8 **SUBTITLE A. FUNDING FOR PUBLIC SCHOOLS AND PUBLIC CHARTER**
9 **SCHOOLS**

10 4001. Short title.

11 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools
12 Amendment Act of 2012”.

13 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
14 Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26,
15 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

16 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase
17 “\$8,945 per student for fiscal year 2012” and inserting the phrase “\$9,124 per student for fiscal
18 year 2013” in its place.

19 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
20 and inserting the following chart in its place:
21

Grade Level	Weighting	Per Pupil Allocation in FY 2013
Pre-School	1.34	\$12,226
Pre-Kindergarten	1.30	\$11,861
Kindergarten	1.30	\$11,861
Grades 1-3	1.00	\$9,124
Grades 4-5	1.00	\$9,124

Grades 6-8	1.03	\$9,398
Grades 9-12	1.16	\$10,584
Alternative program	1.17	\$10,675
Special education school	1.17	\$10,675
Adult	0.75	\$6,843

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

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

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
“LEP/NEP	Limited and non-English proficient students	0.45	\$4,106
“Summer	An accelerated instructional program in the summer for students in targeted grade spans or grades pursuant to promotion policies of the District of Columbia Public Schools and public charter schools	0.17	\$1,551

“Special Education Add-ons:

Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
“Level 1: Special Education	Eight hours or less per week of specialized services	0.58	\$5,292
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	0.81	\$7,390

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“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.58	\$14,416
“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	3.10	\$28,284
“Special Education Capacity Fund	Weighting provided in addition to special education level add-on weightings on a per student basis for each student identified as eligible for special education.	0.40	\$3,650
“Special Education Compliance Fund	Weighting provided in addition to special education level add-on weightings on a per student basis for each student identified as eligible for special education.	0.16	\$1,460
“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	1.70	\$15,511

8 “Residential Add-ons

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
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“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	0.374	\$3,412
“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	1.360	\$12,409
“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	2.941	\$26,834
“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	2.924	\$26,679
“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	0.68	\$6,204

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“Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated

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in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
“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.	0.064	\$584

“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	0.231	\$2,108
“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	0.500	\$4,562
“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	0.497	\$4,535”.

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Sec. 4003. (a) Notwithstanding any other provision of law, the District of Columbia Public Schools may make competitive grants to charitable organizations for fiscal year 2013 as follows:

(1) An amount of \$100,000 for a journalism mentorship program in the District of Columbia Public Schools; and

(2) An amount of \$100,000 for a mathematics literacy program in the District of Columbia Public Schools.

(b) Notwithstanding the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 et seq.), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (Pub. L. No.104-134; D.C. Official Code § 38-1800.01), the allocations described

1 | in subsection (a) of this section shall not be construed to create an obligation to provide
2 | additional funding to any local education agency except the District of Columbia Public Schools.

3 | **SUBTITLE B. SCHOOL-BASED BUDGETING AND ACCOUNTABILITY**

4 | Sec. 4011. Short title.

5 | This subtitle may be cited as the “School Based Budgeting and Accountability
6 | Amendment Act of 2012”.

7 | Sec. 4012. Section 1104 of the School Based Budgeting and Accountability Act of 1998,
8 | effective March, 26 1999 (D.C. Law 12-175; D.C. Official Code § 38-2803), is amended as
9 | follows:

10 | (a) Subsection (a) is amended to read as follows:

11 | “(a)(1) Beginning on December 15, 2012 and every 5 years thereafter, the Mayor shall
12 | prepare and submit to the Council for its review and approval a comprehensive 5-year Master
13 | Facilities Plan for public education facilities, along with a proposed resolution, in accordance
14 | with this section. The Council shall vote on the 5-year Master Facilities Plan concurrently with
15 | its vote on the Mayor’s capital budget proposal. If approved by the Council, the 5-year Master
16 | Facilities Plan shall take effect on the first day of the succeeding fiscal year.

17 | “(2) The Council shall conduct at least one public hearing on the proposed 5-year
18 | Master Facilities Plan before approval.

19 | “(3) If, subsequent to Council approval of the 5-year Master Facilities Plan,
20 | material changes to the plan become necessary, the Mayor may modify the plan; provided, that
21 | any modification shall be submitted to the Council for review and approval along with the
22 | Mayor’s annual submission of a capital budget recommendation for public schools.”.

23 | (b) Subsection (b) is amended as follows:

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

1 “(1A) Beginning on April 15th, 2013, the Department of General Services shall
2 conduct an annual survey to update information on the enrollment, utilization, and condition of
3 each public school facility and shall make the information available to the public on the Mayor’s
4 website by December 1st of each year.”.

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

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

7 (B) Subparagraph (J) is amended by striking the period and adding the
8 phrase “; and” in its place.

9 (C) A new subparagraph (K) is added to read as follows:

10 “(K) Any school disposition, including a plan delineating the process
11 through which citizen involvement shall be facilitated, and establishing the criteria that will be
12 utilized in disposition decisions, one of which shall be consideration of the impact of any
13 proposed new use of a school building on the neighborhood in which the school building is
14 located.”.

15 **SUBTITLE C. LIBRARY**

16 Sec. 4021. Short title.

17 This subtitle may be cited as the “Books and Other Library Materials Account
18 Amendment Act of 2012”.

19 Sec. 4022. An Act To establish and provide for the maintenance of a free public library
20 and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official
21 Code § 39-101 *et seq.*), is amended as follows:

22 (a) Section 7 (D.C. Official Code § 39-107) is amended by striking the phrase “ into the
23 unrestricted fund balance of the General Fund of the District of Columbia” and inserting the
24 phrase “into the Books and Other Library Materials Account, established by section 14” in its
25 place.

1 (b) A new section 14 is added to read as follows:

2 “Sec. 14. Books and Other Library Materials Account.

3 “(a) There is established as a nonlapsing account the Books and Other Library Materials
4 Account (“Account”) into which shall be deposited:

5 “(1) All receipts from the sale of used books and other library materials;

6 “(2) Proceeds from the sale of library-related merchandise;

7 “(3) Gifts, grants, and donations designated for collections; and

8 “(4) Such amounts as may be appropriated for books and other library materials.

9 “(b) The Account shall be used solely for the purpose of procuring books and other
10 library materials, including compact disks, electronic materials, or other records and materials,
11 to maintain and enhance the collection of the District of Columbia Public Library.

12 “(c) All funds deposited into the Account, and any interest earned on those funds, shall
13 not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the
14 end of a fiscal year, or at any other time, but shall be continually available for the uses and
15 purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject
16 to authorization from Congress.”.

17 **SUBTITLE D. UDC RIGHTSIZING**

18 Sec. 4031. Short title.

19 This subtitle may be cited as the “University of the District of Columbia Right-Sizing
20 Plan Act of 2012”.

21 Sec. 4032. University of the District of Columbia Right- Sizing Plan.

22 (a) By October 1, 2012, the University of the District of Columbia (“University”) shall
23 transmit to the Council a right-sizing plan that has been approved by the Board of Trustees and
24 outlines the steps that the University shall take, starting in fiscal year 2013, to bring the
25 University’s costs, staff, and faculty size in line with other comparable public universities. The

1 University shall develop this plan in consultation with the Deputy Mayor for Education.

2 Consistent with preserving and enhancing the mission of the University, the plan shall include:

3 (1) A vision for the University of the District of Columbia system that explains
4 the mission, roles, responsibilities, and scope of the flagship university, the community college,
5 and the law school, and how they relate to each other;

6 (2) An enrollment plan that sets forth reasonable enrollment projections for the
7 next 5 years based on recent enrollment trends and includes an analysis of potential student
8 demand for the flagship university and community college;

9 (3) An analysis of all academic programs that identifies under-enrolled and under-
10 performing programs and an associated timeline and plan for improving or eliminating those
11 programs;

12 (4) A compensation market analysis to determine appropriate compensation levels
13 for staff and faculty and a strategy and timeline to bring salaries and wages in line with these
14 levels;

15 (5) An analysis of current and planned facilities and a revised capital spending
16 plan that reflects the University's actual enrollment size and realistic enrollment projections;

17 (6) A tuition analysis and timeline to bring tuition more in line with actual costs
18 associated with a student's education, with particular emphasis on the non-District resident
19 tuition rates, including the metro-area resident rate; and

20 (7) A staff and faculty reduction strategy and timeline, including an assessment of
21 the initial and subsequent budgetary impacts of implementing this strategy.

22 (b) The University shall use, in consultation with the Board of Trustees, any
23 remaining funding from the \$500,000 allocated to support the development of a transition plan
24 for an independent community college pursuant to section 4704 of the Community College of the
25 District of Columbia Plan for Independence Act of 2011, effective September 14, 2011 (D.C.

1 Law 19-021; D.C. Official Code § 38-1271.03), in developing the right- sizing plan required by
2 this act.

3 (b) For the purposes of developing the right-sizing plan required by this section, the
4 University shall use, in consultation with the Board of Trustees, any remaining funding from the
5 \$500,000 allocated to support the development of a transition plan for an independent
6 community college pursuant to section 4704 of the Fiscal Year 2012 Budget Support Act of
7 2011, effective September 14, 2011 (D.C. Law 19-021; 58 DCR 6226).

8 **SUBTITLE E. UDC COMMUNITY COLLEGE BRANCH STATUS**
9 **APPLICATION.**

10 Sec. 4041. Short title.

11 This subtitle may be cited as the “University of the District of Columbia Community
12 College Autonomy Act of 2012”.

13 Sec. 4042. University of the District of Columbia Community College Autonomy

14 (a) By November 1, 2012, the University of the District of Columbia shall transmit to the
15 Middle States Commission on Higher Education a request for approval of a substantive change
16 to reclassify the University of the District of Columbia Community College as a Branch Campus
17 of the University of the District of Columbia. A copy of this request shall also be transmitted to
18 the Council of the District of Columbia.

19 (b) By October 1, 2012, the Chief Executive Officer of the University of the District of
20 Columbia Community College shall be responsible for the day-to-day management of the
21 Community College and shall have direct spending authority over the Community College
22 budget, identified as Division (8000) in the University of the District of Columbia operating
23 budget and shall regularly report directly to the Board of Trustees, or a subcommittee of the
24 Board of Trustees respecting the affairs of the Community College, and shall have direct

1 | spending authority over the Community College budget, identified as Division (8000) in the
2 | University of the District of Columbia operating budget.

3 | **SUBTITLE F. DISTRICT OF COLUMBIA SCHOOL REFORM AMENDMENT**

4 | Sec. 4051. Short title.

5 | This subtitle may be cited as the “District of Columbia School Reform Amendment Act
6 | of 2012”.

7 | Sec. 4052. The District of Columbia School Reform Act of 1995, approved April 26,
8 | 01996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), is amended by adding a new
9 | section 2214a to read as follows:

10 | “Sec. 2214a. Charter schools admissions task force.

11 | “(a) There is established a task force that shall study providing a neighborhood
12 | preference in charter school admissions for the 2013-2014 school year. The task force shall
13 | consist of:

14 | “(1) The following 5 government officials, or their designees, the:

15 | “(A) Chairman of the Public Charter School Board;

16 | “(B) Chairman of the Council of the District of Columbia;

17 | “(C) State Superintendent of Education;

18 | “(D) Deputy Mayor for Education; and

19 | “(E) Chancellor of the District of Columbia Public Schools; and

20 | “(2) The following nongovernment members:

21 | “(A) Two representatives from charter support organizations;

22 | “(B) A representative from the education department of a national
23 | research organization;

24 | “(C) A representative from a national charter school organization;

1 “(D) Two charter school leaders selected by the Public Charter School
2 Board Chair; and

3 “(E) A labor representative.

4 “(b) The task force shall:

5 “(1) Be chaired by the Chairman of the Public Charter School Board, or his or
6 her designee;

7 “(2) Meet at an agreed to location as often as determined necessary by the
8 Chairman of the task force;

9 “(3) Explore the feasibility of offering a neighborhood preference in charter
10 school admissions for the 2013-2014 school year; and

11 “(4) By September 1, 2012, submit a report to the Council of its findings, which
12 shall include:

13 “(A) Consideration of the various ways in which a neighborhood
14 preference can be designed, including:

15 “(i) The pros and cons of a weighted lottery;

16 “(ii) Setting aside of a certain percentage of new seats;

17 “(iii) A geographically limited preference; and

18 “(iv) A preference based on rankings in a city-wide application
19 process;

20 “(B) A definition of neighborhood for the purpose of setting boundaries
21 in admissions;

22 “(C) An examination of models that are being used in other jurisdictions
23 and evaluation of their applicability to the District; and

24 “(D) Recommendations based on its findings.”.

1 **SUBTITLE G. HEALTHY SCHOOLS AMENDMENTS**

2 Sec. 4061. Short title.

3 This subtitle may be cited as the “Healthy Schools Amendment Act of 2012”.

4 Sec. 4062. The Healthy Schools Act of 2010, effective October 20, 2011 (D.C. Law 19-
5 37; D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

6 (a) Section 102 (D.C. Official Code § 38-821.02) is amended as follows:

7 (1) Subsection (c) is amended as follows:

8 (A) Paragraph (1) is amended by striking the phrase “and participating
9 private schools” and inserting the phrase “participating private schools, and organizations
10 participating in the Summer Food Service Program” in its place.

11 (B) Paragraph (3) is amended by striking the phrase “40 cents for each
12 lunch meal served to students who qualify for reduced-price meals” and inserting the phrase “40
13 cents for each lunch meal that meets the requirements of sections 202 and 203 and is served to
14 students who qualify for reduced-price meals” in its place.

15 (C) Paragraph (4) is amended to read as follows:

16 “(4) To provide resources to implement the breakfast-in-the-classroom program
17 under section 203(a)(2), the Office of the State Superintendent of Education shall provide a one-
18 time subsidy of \$7 per student to new public schools, new public charter schools, and new
19 private schools that have not previously received the funds and that participate in the National
20 School Lunch Program, in which more than 40% of students qualify for free or reduced-price
21 meals.”.

22 (2) Subsection (e) is amended by striking the phrase “do not meet the
23 requirements” and inserting the phrase “do not meet any or all of the requirements” in its place.

24 (3) Subsection (g) is amended by striking the period and inserting the phrase “,
25 and to further improve health, wellness, and nutrition in schools.” in its place.

1 (b) Section 202(b)(1)(C)(ii) (D.C. Official Code § 38-822.02(b)(1)(C)(ii)) is amended by
2 striking the phrase “August 1, 2020” and inserting the phrase “July 1, 2022” in its place.

3 (c) Section 203(c) (D.C. Official Code § 38-822.03(c)) is amended by striking the phrase
4 “are encouraged to” and inserting the word “shall” in its place.

5 (d) Section 204(c) (D.C. Official Code § 38-822.04(c)) is amended by striking the phrase
6 “The Department of Real Estate Services” and inserting the phrase “The Department of General
7 Services” in its place.

8 (e) Section 205 (D.C. Official Code § 38-822.05) is amended as follows:

9 (1) Subsection (a)(3) is amended by striking the phrase “; and” and inserting the
10 phrase “if requested by parents and legal guardians; and” in its place.

11 (2) Subsection (b)(1) is amended as follows:

12 (A) The lead-in language is amended by striking the word “post” and
13 inserting the word “provide” in its place. (B) Subparagraph (A) is amended by striking the word
14 “and”.

15 (C) Subparagraph (B) is amended as follows:

16 (i) Strike the word “Online” and insert the phrase “Online,” in its
17 place.

18 (ii) Strike the period and insert the phrase “; and” in its place. (D) A
19 new subparagraph (C) is added to read as follows:

20 “(C) To parents and legal guardians upon request.”.

21 (f) Section 206(b) (D.C. Official Code § 38-822.06(b)) is amended as follows:

22 (1) Paragraph (3) is amended by striking the word “and”.

23 (2) Paragraph (4) is amended by striking the period and inserting the phrase “;
24 and” its place.

25 (3) A new paragraph (5) is added to read as follows:

1 “(5) Food not consumed or marketed to students.”.

2 (g) A new section 301a is added to read as follows:

3 “Sec. 301a. Comprehensive food services plan.

4 “(a) Before February 15, 2013, the Office of Planning City Administrator shall transmit
5 to the Council and to the Healthy Schools and Youth Commission a comprehensive food services
6 plan that shall include:

7 “(1) A plan to reduce the cost of providing food services in the District of
8 Columbia Public Schools (“DCPS”), without reducing the quality, taste, or nutritional standards
9 of the food being served, including an:

10 “(A) Examination of how similar jurisdictions provide food services in
11 schools;

12 “(B) Explanation of the cost drivers in the DCPS food services program;

13 “(C) Accounting of:

14 (i) The local funds subsidies (net losses) required by federal
15 programs for each year since fiscal year 2007, including the total subsidy per year and the
16 subsidy per meal served per year;

17 “(ii) Whether the District has received all of the rebates, credits,
18 and other funds owed by its current food-service vendors;

19 “(D) An evaluation of whether preparing meals internally without an
20 outside vendor would reduce costs; and

21 “(E) An implementation plan and timeline for the DCPS food services
22 program to become cost-neutral;

23 “(2) An analysis of the efficiencies and savings that could be gained by
24 combining the food services programs in:

25 “(A) The Department of Corrections;

1 “(B) The Department of Human Services;

2 “(C) The Department of Mental Health;

3 “(D) The Department of Parks and Recreation;

4 “(E) The District of Columbia Public Schools;

5 “(F) The Office of Aging; and

6 “(G) Other agencies;

7 “(3) An analysis of whether a centralized food services program could offer
8 public charter schools the opportunity to purchase meals from it, instead of from a private
9 vendor; and

10 “(4) An analysis of how the District’s food service programs can become more
11 sustainable.

12 | “(b) The Office of Planning City Administrator shall be assisted in preparing the plan
13 required by subsection (a) of this section by the:

14 “(1) District of Columbia Public Schools;

15 “(2) Office of the State Superintendent of Education;

16 “(3) Department of General Services

17 “(4) Mayor’s Office of Budget and Finance;

18 “(5) Council’s Budget Office;

19 “(6) Office of the Chief Financial Officer; and

20 “(7) City Administrator.”.

21 (h) Section 303 (D.C. Official Code § 38-823.03) is amended by striking the phrase
22 “September 30” and inserting the phrase “June 30” in its place.

23 (i) A new section 402a is added to read as follows:

24 “Sec. 402a. Interscholastic athletics plan.

1 “(a) On or before February 15, 2013, the Deputy Mayor for Education Office of the State
2 Superintendent of Education shall transmit to the Council a strategic plan for increasing access
3 to, participation in, and the quality of an interscholastic athletics program in District of Columbia
4 Public Schools and public charter schools by the 2014-2015 school year.

5 “(b) The strategic plan shall include a description of:

6 “(1) The level of programs needed to ensure greater access to interscholastic
7 athletics;

8 “(2) The resources required to operate a robust interscholastic athletics program
9 throughout the public schools;

10 “(3) Whether How District facilities may be better utilized to provide for
11 interscholastic athletics;

12 “(4) The effect of a robust athletics program on student health and community
13 involvement.”.

14 (j) Section 501 (D.C. Official Code § 38-825.01) is amended as follows:

15 (1) Subsection (a) is amended as follows;

16 (A) The lead-in language is amended by striking the phrase “Office of
17 Public Education Facilities Modernization” and inserting the phrase “Department of General
18 Services” in its place.

19 (B) Subparagraph (H) is amended by striking the word “and” at the end.

20 (C) Subparagraph (I) is amended by striking the period and inserting the
21 phrase “; and” in its place.

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

23 “(J) Establish a composting program in the District of Columbia Public Schools.”.

24 (2) Subsection (b) is amended by striking the phrase “December 31, 2010” and
25 inserting the phrase “December 31, 2012” in its place.

1 (3) Subsection (c) is amended by striking the phrase “December 31, 2011” and
2 inserting the phrase “December 31, 2012” in its place.

3 (k) Section 503(a)(1) (D.C. Official Code § 38-825.03(a)(1)) is amended by striking the
4 phrase “Office of Public Education Facilities Modernization” and inserting the phrase
5 “Department of General Services” in its place.

6 (l) Section 603 (D.C. Official Code § 38-826.03) is amended as follows:

7 (1) Subsection (a) is amended by striking the phrase “Office of Public Education
8 Facilities Modernization” and inserting the phrase “Department of General Services” in its place.

9 (2) Subsection (c) is amended by striking the phrase “December 31, 2011” and
10 inserting the phrase “December 31, 2012” in its place.

11 (m) Section 602(d) (D.C. Official Code § 38-826.02(d)) is amended by striking the
12 number “14” and inserting the number “30” in its place.

13 (n) Section 701(c) (D.C. Official Code § 38-827.01(c)) is amended by striking the phrase
14 “September 30” and inserting the phrase “November 30” in its place.

15 Sec. 4063. Applicability.

16 This subtitle shall apply as of June 20, 2012.

17 **SUBTITLE H. EDUCATION FUNDING EQUITY.**

18 Sec. 4071. Short title.

19 This subtitle may be cited as the “Education Funding Formula Equity Amendment Act of
20 2012”.

21 Sec. 4072. Section 115 of the Uniform Per Student Funding Formula for Public Schools
22 and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C.
23 Official Code § 38-2913), is amended by striking the phrase “fiscal year 2013” and inserting the
24 phrase “fiscal year 2014” in its place.

1 **SUBTITLE I. CHARTER SCHOOL RELOCATION ASSISTANCE**

2 Sec. 4081. Short title.

3 This subtitle may be cited as the “Charter School Relocation Assistance Act of 2012”.

4 Sec. 4082. The Deputy Mayor for Education may provide a grant of up to \$500,000 in
5 fiscal year 2013 to a high school chartered under the District of Columbia School Reform Act of
6 1995, effective April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), that is
7 co-located with a public high school that must relocate because of the renovation of the public
8 high school.

9 **TITLE V. HEALTH, HUMAN SERVICES, AND RECREATION**

10 **SUBTITLE A. DEPARTMENT OF MENTAL HEALTH ENTERPRISE FUND**
11 **ESTABLISHMENT**

12 Sec. 5001. Short title.

13 This subtitle may be cited as the “Department of Mental Health Enterprise Fund
14 Establishment Amendment Act of 2012”.

15 Sec. 5002. The Department of Mental Health Establishment Amendment Act of 2001,
16 effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*), is
17 amended by adding a new section 115f to read as follows:

18 “Sec 115f. Department of Mental Health Enterprise Fund.

19 “(a) There is established as a nonlapsing fund the Department of Mental Health
20 Enterprise Fund (“Fund”) into which shall be deposited all fees, proceeds, and revenues collected
21 from the activities and operations of a food cafeteria managed and operated by the Department of
22 Mental Health to serve department staff and patients on the Saint Elizabeth’s Hospital campus,
23 which funds shall be used only for the management and operation of the food cafeteria.

24 (b) All funds deposited into the Fund, and any interest earned on those funds shall not
25 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end
26 of a fiscal year, or of any other time, but shall be continually available for the uses and purposes

1 set forth in section (a) of this section without regard to fiscal year limitation, subject to
2 authorization by Congress.”.

3 **SUBTITLE B. REPORTING REQUIREMENTS.**

4 Sec. 5011. Short title.

5 This subtitle may be cited as the “Reporting Requirements Act of 2012”.

6 Sec. 5012. Department of Mental Health reporting requirements.

7 (a) By October 1, 2012, the Department of Mental Health (“Department”) shall submit to
8 the Council:

9 (1) A plan to expand, by the beginning of fiscal year 2014, the Juvenile
10 Behavioral Diversion Program, which serves youth who have been classified as Persons In Need
11 of Supervision, including:

12 (A) A timetable for the expansion of the program;

13 (B) A list of the services that will be provided to youth as a result of the
14 expansion; and

15 (C) An estimated budget for the expansion of the program;

16 (2) A report on efforts to implement policies and procedures to allow mental-
17 health providers to become credentialed with various payors, such as through a national
18 credentialing organization as authorized by the Centers for Medicaid and Medicare Services, to
19 approve providers certified by the Department;

20 (3) An update on the Department’s compliance with the exit criteria set forth in
21 the *LaShawn v. Gray* Consent Decree, including:

22 (A) A fiscal year 2013 plan of action; and

23 (B) A fiscal year 2013 spending plan;

24 (4) A report on the recruitment and retention of nurses at Saint Elizabeths
25 Hospital, including:

- 1 (A) Efforts undertaken during fiscal year 2012 to fill vacancies;
2 (B) A recruitment and retention plan for fiscal year 2013;
3 (C) Any barriers to filling the vacant positions; and
4 (D) Any impact on the proposed fiscal year 2013 budget if the vacant
5 positions are not filled;

6 (5) A report on the implementation of the Department of Mental Health Nurse
7 Training Program, as established by the Department of Mental Health Nurse Training Program
8 Amendment Act of 2012, as approved by the Committee of the Whole on May 15, 2012
9 (Committee print of Bill 19-743); and

10 (6) A report on the appropriate number of core service agencies to serve the
11 population.

12 (b) By December 31, 2012, the Department shall submit to the Council a report on the
13 progress of Saint Elizabeths Hospital in meeting conditions required by the Department of
14 Justice settlement agreement, including the fiscal year 2013 spending plan to meet the required
15 conditions.

16 Sec. 5013. Department of Health reporting requirements.

17 By October 1, 2012, the Department of Health (“DOH”) shall submit to the Council:

18 (1) A plan to establish a professional development program for DOH employees,
19 which includes, at a minimum, tuition assistance or provides for remote learning, with
20 institutions of higher learning within the District to prepare DOH employees for advancement to
21 management positions within DOH;

22 (2) A report on all federal grants for which DOH has received authority to carry
23 over prior year funds into fiscal year 2013, including:

- 24 (A) The amount of the carryover;
25 (B) A spending plan for the carryover; and

- 1 (C) The employee responsible for the grant;
- 2 (3) An update on efforts to resolve any issues raised in the fiscal year 2010 single
3 state audit, including any additional steps necessary to resolve the issue in fiscal year 2013
4 related to the:
- 5 (A) Women, Infants, and Children program;
- 6 (B) Housing Opportunities for Persons with AIDS program;
- 7 (C) HIV emergency relief grants; and
- 8 (D) HIV Care Formula Grant;
- 9 (4) A report on the District’s participation in the AIDS 2012 conference and
10 action plans for fiscal year 2013 based on deliverables as identified during the conference;
- 11 (5) A report on the HIV/AIDS, Hepatitis, STD, and Tuberculosis
12 Administration’s compliance with the recommendations from the 2011 audit by the U.S.
13 Department of Housing and Urban Development (“HUD audit”) on the District’s Housing
14 Opportunities for Persons with AIDS program, which shall include the actions taken in fiscal
15 year 2012 and plans for fiscal year 2013 to resolve all concerns outlined in the HUD audit,
16 including those expressed in the findings;
- 17 (6) A report on action taken in fiscal year 2012 or planned for fiscal year 2013 to
18 resolve any outstanding issues as identified by the U.S. Department of Health and Human
19 Services, Health Resources Services Administration (“HRSA”) surrounding the management of
20 HRSA federal grant awards regarding HIV/AIDS;
- 21 (7) An update on efforts undertaken in fiscal year 2012 and planned for fiscal year
22 2013 to train providers to appropriately bill Medicaid for substance-abuse services approved as
23 part of the State Plan Amendment (“SPA”), approved in March 2012, including any barriers to
24 the implementation of the SPA;

1 (8) An update on efforts to identify and obtain additional local, grant, or federal
2 funding for tobacco-control programs during fiscal year 2013;

3 (9) A report on the DOH's efforts to fully implement the Health Care Facilities
4 Improvement Amendment Act of 2010, effective April 29, 2010 (D.C. Law 18-145; 57 DCR
5 1834), including a fiscal year action plan;

6 (10) A report on the implementation of the medical marijuana program, including
7 the status of each cultivation center licensee and each dispensary licensee; and

8 (11) A report on mosquito abatement efforts planned for fiscal year 2013,
9 including an action plan, delineated by ward, along with a fiscal year spending plan.

10 Sec. 5014. Department of Health Care Finance reporting requirements.

11 By October 1, 2012, the Department of Health Care Finance ("Department") shall submit
12 to the Council:

13 (1) A report on efforts to allow behavioral-health providers to bill for
14 communications between a provider and any party determined by that provider to be necessary to
15 make a diagnosis or to develop and implement a treatment plan;

16 (2) A report on the Department's compliance with the findings set forth in the
17 November 2011 Centers for Medicare and Medicaid Services report regarding the District's
18 management and oversight of the Home and Community Based Services Intellectual
19 Disabilities/Developmental Disabilities waiver, including a fiscal year 2013 action plan to
20 resolve any outstanding issues and a timetable to ensure the timely submission of all compliance
21 reports required during fiscal year 2013;

22 (3) The status of the rebasing of nursing home-provider rates, including a timeline
23 for implementation during fiscal year 2012 and any impact on the approved fiscal year 2013
24 budget;

1 (4) A report on the status of the Department’s enrollment and updated enrollment
2 projections for fiscal year 2013;

3 (5) A report on the feasibility of basing reimbursement rates for mental-health
4 services provided to both children and adults, on the acuity level of the consumer, including the
5 potential budgetary impact of adopting this rate system in fiscal year 2013 and beyond;

6 (6) A report on the feasibility and structure for requiring D.C. Health Care
7 Alliance beneficiaries to contribute toward their premium payments based on their income
8 levels;

9 (7) A report on the status of all state plan amendments submitted to the federal
10 government during fiscal year 2012 and proposed for fiscal year 2013, including for each:

11 (A) The date, or the anticipated date, of submission;

12 (B) The date, or anticipated date, of approval;

13 (C) A descriptive narrative of the changes outlined in the state plan
14 amendment; and

15 (D) An analysis of the impact of each state plan amendment on the fiscal
16 year 2013 budget; and

17 (8) A report on the feasibility and structure for requiring co-pays for certain
18 Medicaid services.

19 Sec. 5015. Office of the Deputy Mayor for Health and Human Services reporting
20 requirements.

21 By October 1, 2012, the Office of the Deputy Mayor for Health and Human Services
22 (“DMHHS”) shall submit to the Council:

23 (1) A report on all efforts undertaken by DMHHS in fiscal year 2012 and plans
24 for fiscal year 2013, including a spending plan, to coordinate cluster agency actions to enable the
25 District to exit the remaining consent decrees;

1 (2) A recommendation on how to transition the Medicaid program to entirely a
2 Fee-for- Service program, which shall include, at minimum:

3 (A) The rationale for the recommendation, including supporting data and
4 information; and

5 (B) If appropriate and feasible, a comprehensive transition plan, with a
6 timetable, for the transition to an entirely Fee-for-Service program;

7 (3) A recommendation on instituting a Health Care Navigator program within the
8 Department of Health Care Finance to assist individuals with high utilization rates to better
9 manage their care;

10 (4) A recommendation on whether individuals with diagnoses of mental health
11 issues, with HIV/AIDS, who are chronically homeless, or who are developmentally disabled , or
12 victims of domestic violence should be given priority consideration for housing provided through
13 the Housing Production Trust Fund, which shall include, at minimum:

14 (A) The rationale for the recommendation, including supporting data and
15 information; and

16 (B) A plan to implement priority consideration for housing through the
17 Housing Production Trust Fund;

18 (5) A recommendation regarding the creation of a truancy reduction committee in
19 every public school to reduce truancy and related behavioral health issues;

20 (6) A report on the coordination of care for individuals with mental health issues
21 and co-occurring chronic diseases, including:

22 (A) Information on the systems currently in place to track the
23 coordination of services across different agencies, providers, and networks;

24 (B) A plan of action developed jointly with other District government
25 agencies to provide appropriate and timely services to these individuals; and

1 (C) A spending plan for fiscal year 2013 that identifies areas in which
2 coordination for co-occurring conditions can take place; and

3 (7) A report on the feasibility of requiring all providers that receive a payment for
4 healthcare services to agree to the most favored nation status, which requires a provider to grant
5 the District the lowest rate for a service that they accept from any other insurance carrier, which
6 includes:

7 (A) A delineation of adopting this policy for each of the agencies within
8 the DMHHS cluster;

9 (B) Recommendations for implementing this requirement in fiscal year
10 2013 and beyond; and

11 (C) Any savings associated with the adoption of this policy across the
12 agencies.

13 Sec. 5016. Not-For-Profit Hospital Corporation reporting requirements.

14 By October 1, 2012, the Not-For-Profit Hospital Corporation shall submit to the Council
15 a detailed work plan to implement a navigator program at the Not-For-Profit Hospital
16 Corporation to assist patients with diabetes, including those with co-occurring illnesses, in
17 accessing appropriate treatment and care, which shall include:

18 (1) A scope of work for the program and each navigator;

19 (2) The goals for the program as a whole and for each navigator; and

20 (3) A detailed spending plan for fiscal year 2013.

21 **SUBTITLE C. MOSQUITO CONTROL AND ABATEMENT**

22 Sec. 5021. Short title.

23 This subtitle may be cited as the “Mosquito Control and Abatement Annual Plan Act of
24 2012”.

25 Sec. 5022. Annual mosquito control and abatement plan.

1 Beginning March 31, 2013, and annually thereafter, the Department of Health shall
2 develop and submit to the Council a mosquito-abatement plan, delineated by ward, for the
3 following fiscal year to prevent and abate the infestation of mosquitoes, which shall, at a
4 minimum, include a:

5 (1) Determination of which wards are in greatest need of mosquito abatement;

6 (2) Plan of action to eliminate the habitats of immature mosquitoes and control
7 immature and adult mosquitoes;

8 (3) Plan to ensure that eradication measures are not injurious to pets or wildlife;

9 and

10 (4) Delineation of the costs associated with the entire plan.

11 **SUBTITLE D. NOT-FOR-PROFIT HOSPITAL CORPORATION FUND**

12 Sec. 5031. Short title.

13 This subtitle may be cited as the “Not-For-Profit Hospital Corporation Establishment
14 Amendment Act of 2012”.

15 Sec. 5032. The Not-For-Profit Hospital Corporation Establishment Amendment Act of
16 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.01 *et seq.*), is
17 amended as follows:

18 (a) Section 5114(b) (D.C. Official Code § 44-951.03(b)), is amended to read as follows:

19 “(b) Disbursements from the Fund may be used for all purposes related to operating the
20 Corporation, the hospital, and other operations on the site, and to purchase for the general public
21 for educational or promotional events and programs sponsored or organized by the Corporation,
22 including the Corporation’s Marketing/Public Relations department:

23 “(1) Food;

24 “(2) Snacks;

25 “(3) Nonalcoholic beverages; and

1 “(4) Marketing and promotional items and gifts.”.

2 (b) Section 5117 (D.C. Official Code § 44-951.06), is amended by adding a new
3 paragraph (14A) to read as follows:

4 “(14A) Issue grants to promote healthcare programs, policies, and awareness.”.

5 **SUBTITLE E. SEH NURSE TRAINING PROGRAM**

6 Sec. 5041. Short title.

7 This subtitle may be cited as the “Department of Mental Health Nurse Training Program
8 Amendment Act of 2012”.

9 Sec. 5042. The Department of Mental Health Establishment Amendment Act of 2001,
10 effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*), is
11 amended as follows:

12 (a) Section 102 (D.C. Official Code § 7-1131.02) is amended as follows:

13 (1) A new paragraph (25B) is added to read as follows:

14 “(25B) “Program” means the nursing educational tuition assistance program for
15 nurses employed by Saint Elizabeths Hospital established by section 115e.”.

16 (2) A new paragraph (31A) is added to read as follows:

17 “(31A) “UDC” means the University of the District of Columbia.”.

18 (b) A new section 115e is added to read as follows:

19 “Sec. 115e. Department of Mental Health Nurse Training Program.

20 “(a) There is established within the Department, in partnership with UDC, a nurse
21 training program (“Program”), which shall offer tuition reimbursement for courses at UDC for a
22 licensed practical nurse employed by Saint Elizabeths Hospital to become a registered nurse or
23 for a registered nurse employed by Saint Elizabeths Hospital to earn a Bachelor of Science in
24 Nursing; provided, that the nurse earns at least a grade B and agrees, in writing, to continue his
25 or her employment at Saint Elizabeths Hospital for a minimum of 2 years.

1 “(b) The Department shall:

2 “(1) In partnership with UDC, develop:

3 “(A) The Program; and

4 “(B) A course of study that accommodates the schedule of nurses
5 employed full-time;

6 “(2) Administer the Program;

7 “(3) Subject to the availability of funds, establish the number, and amounts of,
8 assistance that can be extended in any fiscal year;

9 “(4) Develop a competitive application process for nurses at Saint Elizabeths
10 Hospital to participate in the Program; and

11 “(5) Provide remote access learning capacities at Saint Elizabeths Hospital, if
12 feasible.”.

13 **SUBTITLE F. HEALTH NAVIGATOR COORDINATION PROGRAM**

14 Sec. 5051. Short title.

15 This subtitle may be cited as the “Health Navigation Coordination Act of 2012”.

16 Sec. 5052. (a) By January 1, 2013, the Department of Health shall enter into a
17 memorandum of understanding with the Not-For-Profit Hospital Corporation (“NPHC”) for the
18 transfer of at least \$285,000 from the Diabetes Control Program within the Community Health
19 Administration for the purpose of implementing a navigator program at the NPHC to assist
20 patients with diabetes, including those with co-occurring illnesses, in accessing appropriate
21 treatment and care.

22 (b) The completion of the memorandum of understanding described in subsection (a) of
23 this section shall be contingent upon the submission of a work plan for the funding to the
24 Council and the Department of Health by October 1, 2012.

1 | **SUBTITLE HG. MENTAL HEALTH PSYCHIATRIC SERVICES**
2 | **REIMBURSEMENT**

3 | Sec. 50715061. Short title.

4 | This subtitle may be cited as the “Increased Funding for Reimbursements for Psychiatric
5 | Services Act of 2012”.

6 | Sec. 50725062. Increased funding for psychiatric services.

7 | Of the fiscal year 2013 funds allocated to the Department of Mental Health, up to
8 | \$500,000 shall be used to increase funding for reimbursements for psychiatric services for
9 | children and adults.

10 | **SUBTITLE IH. SAFE CHILDREN AND FAMILIES ENRICHMENT SERVICES**
11 | **TASK FORCE**

12 | Sec. 50815071. Short title.

13 | This subtitle may be cited as the “Safe Children and Families Enrichment Services Task
14 | Force Establishment Act of 2012”.

15 | Sec. 50825072. Safe Children and Families Enrichment Services Task Force.

16 | (a)(1) There is established the Safe Children and Families Enrichment Services Task
17 | Force (“Task Force”), which shall be composed of:

18 | (A) Five members appointed by the Mayor; and

19 | (B) Five members appointed by the Council.

20 | (2) All appointments shall be made within 30 days of the effective date of this
21 | subtitle.

22 | (b) The members of the Task Force shall represent the local philanthropic community,
23 | businesses, and community-based stakeholders throughout the District.

24 | (c) The members the Task Force shall elect one of its members as chairperson.

25 | (d) Each member of the Task Force shall serve without compensation.

1 (e) The Task Force shall consider and present recommendations for providing improved
2 effective services through a 501(c)(3) organization to District children, youth, and their families,
3 including early childhood development opportunities, safe and enriching centers of learning in
4 and out of school, and other training, recreational, and educational services.

5 (f) No later than 30 days before the sunset date set forth in section 5083 , the Task Force
6 shall submit to the Mayor and the Council its findings and recommendations, including any
7 proposed legislative changes and the estimated cost of the proposed legislation.

8 | Sec. 50835073. Sunset.

9 | This act shall expire 6 months after the effective date of this act.

10 | **SUBTITLE JI. PARKS POLICY AND PROGRAMS DIVISION**

11 | Sec. 50915081. Short title.

12 | This subtitle may be cited as the “Park Policy and Programs Division Amendment Act of
13 2012”.

14 | Sec. 50925082. The Division of Park Services Act of 1988, effective March 16, 1988
15 (D.C. Law 7-209; D.C. Official Code § 10-166 *et seq.*), is amended by adding a new section 2a
16 to read as follows:

17 | “Sec. 2a. Park Policy and Programs Division.

18 | “(a) There is established the Park Policy and Programs Division (“Division”) within the
19 Department of Parks and Recreation. The purpose of the Division is to improve the parks and
20 park programs to broaden the use and enjoyment of the parks to enhance the quality-of-life of
21 residents of, and visitors to, the District.

22 | “(b) The Division shall be administered by a Chief Park Policy and Programs Officer
23 who shall:

24 | “(1) Have authority over its functions and personnel;

25 | “(2) Staff, as necessary, the programs and activities of the Division;

1 “(3) Establish a small parks improvement program, which shall:

2 “(A) Categorize, prioritize, and develop systems, options, and processes
3 for pocket-park improvements and long-term maintenance, including sustainability practices;

4 “(B) In conjunction with the Partnerships & Development divisions,
5 develop partnerships with community-based organizations and Friends groups to assist in small
6 parks improvements, programming, and maintenance;

7 “(4) Establish a community gardens program, which shall:

8 “(A) Support the Mayor’s Sustainable DC initiative to provide healthy,
9 affordable food, by:

10 “(i) Developing standards for community gardens;

11 “(ii) Identifying suitable parcels of land for community gardens;

12 and

13 “(iii) Assisting community groups to implement community
14 gardens; and

15 “(B) Implement the Food Production and Urban Gardens Program Act of
16 1986, effective Feb. 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*);

17 “(5) In conjunction with the Operations Division, prioritize park improvement
18 projects in the capital improvement program;

19 “(6) In conjunction with the Office of Planning, coordinate the implementation of
20 the District’s responsibilities regarding the park elements of the Capital Space Plan, as adopted
21 by the National Capital Planning Commission on April 1, 2010;

22 “(7) In conjunction with the Department of General Services, inventory all real
23 property park assets under the control of the District; and

24 “(8) Coordinate appropriate government agencies, as needed.”.

1 **SUBTITLE KJ. RESTORATION OF DC HEALTHCARE ALLIANCE.**

2 Sec. 51015091. Short title.

3 This subtitle may be cited as the “Restoration of DC Healthcare Alliance Act of 2012”.

4 Sec. 51025092. Revenue from rebasing recognized.

5 Of the revenues collected during fiscal year 2012 as the result of the rebasing of District-
6 owned nursing homes, \$5,300,000 shall be deposited in the Healthy DC and Health Care
7 Expansion Fund established by the Hospital and Medical Services Corporation Regulatory Act of
8 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3514.02), to fund the
9 preservation of hospital-based services as a part of managed care contracts within the DC Health
10 Care Alliance, established pursuant to the Health Care Privatization Amendment Act of 2001,
11 effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code §7-1401 *et seq.*), in fiscal year
12 2013.

13 **SUBTITLE LK. HOUSING FOR HOMELESS FAMILIES ACT OF 2012**

14 Sec. 51115101. Short title.

15 This subtitle may be cited as the “Housing for Homeless Families Amendment Act of
16 2012”.

17 Sec. 51125102. The Homeless Services Reform Act of 2005, effective October 22, 2005
18 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8a
19 to read as follows:

20 “Sec. 8a. Fiscal years 2012 and 2013 rapid re-housing.

21 “(a)(1) Beginning in June 2012, the Department shall identify at least move between 200
22 and 300 homeless families from hotels, motels, severe-weather shelters, temporary shelters, or
23 severe-weather shelters transitional housing, and ensure that at least 100 of these families are
24 placed in or are residing in apartment-style housing units that meet the requirements of the Rent
25 Supplement Program, established by section 26a of the District of Columbia Housing Authority

1 Act, effective March 2, 2007 (D.C. Law 13-105; D.C. Official Code § 6-226) by into appropriate
2 permanent housing through rapid re-housing. No fewer than 200 of these families shall be
3 moved before September 30, 2012.

4 “(2) By October 1, 2012, the Department shall ensure that all homeless families
5 that were residing in hotels or motels have been placed into shelter or housing.

6 “(23) Placements made by the Department pursuant to subsection (a) of this
7 section shall be done in coordination with the District of Columbia Housing Authority
8 (“DCHA”). The Department shall develop rules for selecting homeless families that will be
9 converted onto the Rent Supplement Program’s tenant-based vouchers and submit them to
10 Council within 45-days of the approval of this act and shall be made based on special eligibility
11 criteria jointly established by the Department and DCHA. The special eligibility criteria shall be
12 established and transmitted to the Council within 30 days of the effective date of this act.

13 “(3) Once there are vacancies in hotels, motels, temporary shelters, or severe-
14 weather shelters, or transitional housing, the Department shall use all available resources
15 currently budgeted for homeless families to place new family-shelter applicants who cannot
16 access other housing arrangements, as defined in section 7(c)(4) into shelters or housing.

17 “(b) Beginning in fiscal year, and for each fiscal year thereafter, In fiscal year 2013, with
18 the inclusion of an additional \$4 million shall be included into the DCHA Subsidy, to provide
19 tenant-based rental assistance to between 200 and 300 eligible families in accordance with
20 the families placed in housing pursuant to subsection (a) of this section shall be transferred to the
21 Rent Supplement Program, established by section 26a of the District of Columbia Housing
22 Authority Act of 1999, effective March 2, 2007 (D.C. Law16-192; D.C. Official Code § 6-226).
23 DCHA shall provide tenant-based rental assistance through the Rent Supplement Program to all
24 families placed in housing pursuant to subsection (a) of this section who meet the eligibility

1 criteria established for sponsor-based housing assistance under the Rent Supplement Program,
2 set forth in § 9508 of Title 14 of the D.C. Municipal Regulations.”.

3 **SUBTITLE ML. HEALTHCARE ALLIANCE PRESERVATION**

4 Sec. 51215111. Short title.

5 This subtitle may be cited as the “D.C. HealthCare Alliance Preservation Amendment
6 Act of 2012”.

7 Sec. 51225112. Section 7(c) of the Health Care Privatization Amendment Act of 2001,
8 effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405(c)), is amended as
9 follows:

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

11 (b) The newly designated paragraph (1) is amended by striking the phrase “insurance
12 laws, a health” and inserting the phrase “insurance laws and subject to paragraph (2) of this
13 subsection, a health” in its place.

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

15 “(2) A contract between the District of Columbia and a health maintenance
16 organization or a managed care organization that provides health care services to persons
17 enrolled in the Alliance shall, for fiscal year 2013, include coverage for all services, including
18 hospital-based services, being provided to Alliance enrollees as of January 1, 2012; provided,
19 that for fiscal year 2013, the Department of Health Care Finance shall have the authority to
20 exclude coverage for those hospital-based emergency services that are eligible for Medicaid
21 reimbursement under 8 U.S.C. § 1611(b)(1)(A), 42 U.S.C. 1396b(v)(3), and 42 C.F.R.
22 §440.255(c).”.

23 **SUBTITLE XM. TOBACCO CONTROL**

24 Sec. 5121. Sec. 5XXX. Short Title.

25 This subtitle may be cited as the “Tobacco Control Funding Act of 2012”.

1 | Sec. 5122. Sec. 5XXX. Increased Funding for Tobacco Control.

2 | Of the fiscal year 2013 funds allocated to the Department of Health, at least \$495,000 in
3 | local funds shall be used to increase funding for Tobacco Control Programs within the
4 | Community Health Administration.

5 | **SUBTITLE XN. SOUTH CAPITOL STREET MEMORIAL AMENDMENT ACT**

6 | Sec. 5131. Sec. 5XXX. Short Title.

7 | This subtitle may be cited as the “South Capitol Street Memorial Amendment Act
8 | Funding Act of 2012”.

9 | Sec. 5132. Sec. 5XXX. Funding for the South Capitol Street Memorial Amendment Act
10 | of 2012.

11 | Of the fiscal year 2013 funds allocated to the Department of Mental Health, at least
12 | \$1,815,000 in local funds shall be used to fund implementation of the South Capitol Street
13 | Memorial Amendment Act of 2012.

14 | **SUBTITLE xxO. SOUTH CAPITOL STREET MEMORIAL AMENDMENT ACT**
15 | **FUNDING DESIGNATION**

16 | Sec. 5141. Sec. xxx. Short title.

17 | This subtitle may be cited as the “South Capitol Street Memorial Amendment Act
18 | Funding Designation Act of 2012”.

19 | Sec. 5142. Sec. xxx. (a) Beginning on June 1, 2012, unspent funds from Medicaid under-
20 | enrollment, calculated on a fiscal year basis, shall be set aside in a fund to offset the costs to
21 | implement the South Capitol Street Memorial Amendment Act of 2012 (D.C. Act 19-344;
22 | adopted on final reading on March 20, 2012).

23 | (b) This section shall not be applicable if and when the South Capitol Street Memorial
24 | Amendment Act of 2012 is fully funded as certified by the Chief Financial Officer, either by the

1 terms of this section or pursuant to Section 10002 of Bill 19-742, the Fiscal Year 2013 Budget
2 Request Act of 2012.

3 **SUBTITLE P. MEDICAID STATE PLAN AMENDMENTS AND WAIVERS**

4 Sec. 5151. Short title.

5 This subtitle may be cited as the “Medical Assistance Program Amendment Act of 2012”.

6 Sec. 5151. Section 1(a) of An Act to enable the District of Columbia to receive Federal
7 financial assistance under title XIX of the Social Security Act for a medical assistance program,
8 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code
9 § 1-307.02(a)), is amended by adding a new paragraph (6) to read as follows:

10 “(6) Review and approval by the Council of the Fiscal Year 2013 Budget and
11 Financial Plan shall constitute the Council review and approval required by paragraph (2) of this
12 subsection of any modification or waiver to the state plan required to:

13 “(A) Update the diagnosis-related group (DRG) grouper the agency uses
14 to pay hospitals for inpatient care and other characteristics of the reimbursement system, such as
15 base rates, DRG weights, outlier thresholds and transfer policy in order to adjust the average
16 payment to cost ratio for inpatient care at DRG hospitals from 114% to 98%.

17 “(B) Update the reimbursement methodology model to one based on
18 acuity for Intermediate Care Facilities for the Intellectually Disabled.

19 “(C) Exclude the cost of therapies, including physical therapy,
20 occupational therapy, and speech therapy, from the calculation of the nursing and resident care
21 component of the nursing home rate.

22 “(D) Transition beneficiaries to the replenishing pharmacy network for
23 antiretroviral medications.”.

1 **SUBTITLE Q. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TIME**
2 **LIMIT AMENDMENT.**

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5 **SUBTITLE Q. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TIME**
6 **LIMIT AMENDMENT ACT**

7 Sec. 51315161. Short title.

8 This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit
9 Amendment Act of 2012”.

10 Sec. 51325162. The District of Columbia Public Assistance Act of 1982, effective April
11 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 et seq.), is amended as follows:

12 (a) A new section 572a is added to read as follows:

13 “Sec. 572a. Additional POWER eligibility.

14 “(a) In addition to the circumstances set forth in section 572a, beginning October 1, 2012,
15 an assistance unit shall be eligible for POWER under each of the following circumstances:

16 “ (1) The head of the assistance unit is:

17 “ (A)(i) The parent of a minor child; and

18 “ (ii) Needed in the home, due to medical necessity, to care for a
19 household member who is physically or mentally incapacitated as outlined in subsection (c) of
20 this section; or

21 “ (B)(i) The parent of a minor child;

22 “ (ii) Determined by the Department to be a victim of domestic
23 violence who is receiving relevant support counseling or services; and

24 “ (iii) Has received a domestic violence assessment by the
25 Department or the Department’s designee which resulted in a recommendation that a waiver of
26 work requirement and/or child support cooperation is required;

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“(C) A pregnant or parenting teen who is:

“(i) Certified by the Department as exempt from the home living requirements under section 563(b);

“(ii) Enrolled in high school or a General Education Equivalency Degree (GED) program;

“(iii) Meets her or his work requirements in compliance with her or his TANF Individual Responsibility Plan or any equivalent plan developed during their participation in POWER; and

“(iv) Less than 19 years old; or

“(D) A single custodial parent or caretaker with a child under 12 months old, provided that no parent may qualify for such an exemption for more than 12 months.

“(b) An assistance unit’s eligibility for POWER pursuant to subsection (a) of this section shall be subject to annual review and redetermination.”.

(b) Section 574(a) (D.C. Official Code § 4-205.74(a)) is amended as follows:

(1) Strike the phrase “POWER eligibility” and insert the phrase “POWER eligibility, pursuant to section 572” in its place.

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

“(a-1) After the Mayor determines that a TANF applicant or recipient may be considered for POWER eligibility, pursuant to section 572a, the Mayor shall provide a review of the applicant or recipient to determine whether the applicant or recipient is eligible.”.

(c) Section 572(e) (D.C. Official Code § 4-205.72(e)) is amended by striking the phrase “511a, and 519j” and inserting the phrase “511a, 511b, 519j” in its place.

(d) Section 511b (D.C. Official Code 4-205.11b) is amended to read as follows:

“Sec. 511b. Reduction of benefits for long-term TANF recipients.

1 “(a) Except as provided in subsections (b) and (c) of this section, an individual who has
2 received federally or locally funded TANF benefits in the District of Columbia for more than 60
3 months, whether or not consecutive, shall receive a reduction in his or her maximum benefit in
4 accordance with section 552 and as set forth in rules issued pursuant to section 205.

5 “(b) In determining the number of months during which an individual has received TANF
6 benefits, the District shall not count any month during which the individual was:

7 “(1) A minor who is not the head of household and not the head of an assistance
8 unit or married to the head of an assistance unit.

9 “(c) Beginning October 1, 2012, TANF benefits may be extended beyond the 60 month
10 limit on the basis of hardship, which means the individual is:

11 “(1) A person who is 60 years of age or older; or

12 “(2) A person who is meeting the full requirements of his or her Individual
13 Responsibility Plan and can show that they are enrolled in an accredited postsecondary education
14 program or a Department of Employment Services approved job training program in which the
15 TANF recipient is working towards the attainment of a degree, certificate, or official credential.

16 “(d) A customer that qualifies for an extension pursuant to subsection (c)(2) of this
17 section shall be limited to an extension of up to 24 months, in accordance with their Individual
18 Responsibility Plan.

19 “(e) Within 12 months, but no less than 90 days prior to the elimination of benefits
20 pursuant to this section, a client shall have the opportunity to complete or update an Individual
21 Responsibility Plan. Pursuant to such plan, the Department shall assist the customer with
22 accessing support for addressing barriers to employment and assist with the transition to
23 employment.

1 “(f) A TANF customer whose TANF benefits are extended past the 60 month limit
2 pursuant to subsection (c) shall receive the level of public assistance payment for which they
3 would be eligible if they had not exceeded the 60 month limit.”.

4 (e) Section 519a (D.C. Official Code § 4-205.19a.) is amended as follows:

5 (1) The existing language is designated as subsection (a).

6 (2) New subsections (b), (c), and (d) are added to read as follows:

7 “(b) As part of the redetermination of eligibility, a TANF recipient shall be provided
8 information about the POWER program and screened for POWER eligibility. TANF applicants
9 and recipients shall be permitted to affirmatively submit applications for POWER.

10 “(c) As part of the redetermination of eligibility, a TANF recipient who may reach the 60
11 month limit during the 12 months following redetermination shall be provided information about
12 hardship extensions and screened for eligibility for a hardship extension.

13 “(d) The Mayor, or his designee, shall inform all TANF recipients and applicants of the
14 eligibility criteria for POWER and TANF hardship extensions.”.

15 Sec. 51335163. Within 30 days of the effective date of this subtitle, the Mayor, pursuant to
16 subchapter I of Chapter 5 of Title 2, shall issue proposed rules to implement the provisions of
17 this subtitle. The proposed rules shall be submitted to the Council for a 30-day period of review
18 excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does
19 not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 30-
20 day review period, the proposed rules shall be deemed approved.

21 Sec. 51345164. This subtitle shall apply upon certification by the Chief Financial Officer
22 that sufficient revenue is available in the 3 remaining 2012 revenue estimates to fund subsection
23 (a)(1) through (2) as set forth in the Revised Revenue Estimate Contingency Priority List Act of
24 2012, as approved by the Committee of the Whole on May 15, 2012 (Committee print of Bill 19-
25 743).

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

3 **SUBTITLE A. DEPARTMENT OF TRANSPORTATION PARKING METER**
4 **PAY-BY-PHONE TRANSACTION FEE FUND AMENDMENT**

5 Sec. 6001 Short title.

6 This subtitle may be cited as the “Department of Transportation Parking Meter Pay-by-
7 Phone Transaction Fee Fund Amendment Act of 2012”.

8 Sec. 6002. The Department of Transportation Establishment Act of 2002, effective May
9 21, 2001 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a
10 new section 9f to read as follows:

11 “Sec. 9f. District Department of Transportation Parking Meter Pay-by-Phone Transaction
12 Fee Fund.

13 “(a) There is established the District Department of Transportation Parking Meter Pay-
14 by-Phone Transaction Fee Fund (“Fund”), which shall be administered by the Director of the
15 District Department of Transportation and used by the District Department of Transportation to
16 pay the vendor responsible for maintaining the parking meter pay-by-phone payment system.

17 “(b) Notwithstanding section 3((h)) of the District of Columbia Motor Vehicle Parking
18 Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-
19 2603(8)), all transaction fees added to the parking meter fees imposed upon users who pay for
20 parking with the pay-by-phone system shall be deposited into the Fund beginning October 1,
21 2012.”.

22 Sec. 6003. Section 11 of An Act Making appropriations for the government of the
23 District of Columbia and other activities chargeable in whole or in part against the revenues of
24 such District for the fiscal year ending June 30, 1939, and for other purposes, approved April 4,
25 1938 (52 Stat. 192; D.C. Official Code § 50-2633), is repealed.

1 Sec. 6004. Section 3(e) of the District of Columbia Motor Vehicle Parking Facility Act
2 of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(5)), is amended
3 by striking the phrase “, in addition to those mechanical parking meters and devices installed
4 pursuant to the authority conferred on the said Mayor by section 11 of An Act Making
5 appropriations for the government of the District of Columbia and other activities chargeable in
6 whole or in part against the revenues of such District for the fiscal year ending June 30, 1939,
7 and for other purposes, approved April 4, 1938 (52 Stat. 192; D.C. Official Code § 50-2633),”.

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

9 Sec. 6011. Short title.

10 This subtitle may be cited as the “State Safety Oversight Agency Establishment
11 Amendment Act of 2012”.

12 Sec. 6012. An Act To classify the officers and members of the fire department of the
13 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official
14 Code § 5-401 *et seq.*), is amended as follows:

15 (a) Section 1 (D.C. Official Code § 5-401) is amended by adding a new subsection (c) to
16 read as follows:

17 “(c) The Department shall provide oversight to ensure the safety and security of streetcar
18 operations in the District of Columbia as provided in section 3b.”.

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

20 “Sec. 3b. State safety oversight agency for DC Streetcar.

21 “(a) The Fire and Emergency Medical Services Department (“Department”) is designated
22 as the state safety oversight agency, as required by 49 C.F.R. § 659.9, and shall require, review,
23 approve, and monitor the safety program for the DC Streetcar, established pursuant to section
24 5(2)(E) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002
25 (D.C. Law 14-137; D.C. Official Code § 50-921.04(2)(E).

1 “(b) The Fire Chief shall issue rules, in accordance with Federal Transit Administration
2 requirements listed in 49 C.F.R. § 659, to implement the provisions of the State Safety Oversight
3 Agency Establishment Amendment Act of 2012, as approved by the Committee of the Whole on
4 May 15, 2012 (Committee Print of Bill 19-743).”.

5 **SUBTITLE C. DISTRICT DEPARTMENT OF TRANSPORTATION OMNIBUS**

6 Sec. 6021. Short title.

7 This subtitle may be cited as the “District Department of Transportation Omnibus
8 Amendment Act of 2012”.

9 Sec. 6022. Section 3(6)(B) of the District of Columbia Administrative Procedure Act,
10 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code 2-502), is amended as follows:

11 (a) Sub-subparagraph (i) is amended by striking the semicolon and inserting the phrase
12 “and are posted on the website of the District Department of Transportation;” in its place.

13 (b) Sub-subparagraph (iv) is amended by striking the phrase “provided with 30-days
14 written notice” and inserting the phrase “provided with 30-days written notice via electronic
15 delivery” in its place.

16 Sec. 6023. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997
17 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et seq.*), is amended as follows:

18 (a) Section 102(d) (D.C. Official Code § 9-111.01(d)) is amended by adding a new
19 paragraph (3) to read as follows:

20 “(3) As of October 1, 2011, all monies in the Fund designated to comply with the
21 requirements of section 3 of the District of Columbia Emergency Highway Relief Act, approved
22 August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02), shall not exceed 22% of the
23 proposed annual federal-aid highway project expenditures.”.

24 (b) Section 102a(a) (D.C. Official Code § 9-111.01a(a)) is amended to read as follows:

1 “(a) There is established the Local Transportation Fund, which shall be a segregated
2 account within the General Fund of the District of Columbia and shall be funded by the Director
3 of the District Department of Transportation and into which the Chief Financial Officer of the
4 District of Columbia shall deposit:

5 “(1) All receipts from special purpose public inconvenience fees;

6 “(21) All receipts from special purpose utility marking service fees;

7 “(23) All GARVEE bond proceeds; and

8 “(34) As of October 1, 2011, all revenue derived from public rights-of-way user
9 fees, charges, and penalties collected pursuant to Title VI of the Fiscal Year 1997 Budget
10 Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-
11 1141.01 *et seq.*) (“1997 act”), and regulations promulgated pursuant to the 1997 act in Chapter
12 33 of Title 24 of the District of Columbia Municipal Regulations; provided, that for fiscal year
13 2013, the first \$2.6 million collected shall be deposited into the General Fund of the District of
14 Columbia.”.

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

16 “(c-1) As of October 1, 2011, revenue derived and collected pursuant to subsection (a)(4)
17 of this section may be transferred annually to the District of Columbia Highway Trust Fund;
18 provided, that in no event shall local monies in the fund designated to comply with the
19 requirements of section 3 of the District of Columbia Emergency Highway Relief Act, approved
20 August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02), exceed 22% of the proposed
21 annual federal-aid highway project expenditures.”.

22 (c) A new section 102c is added to read as follows:

23 “Sec. 102c. Cost transfer projects.

24 “(a) For the purposes of this section, the term:

1 “(1) “Additive rate” means the rate used to represent labor surcharges as a percent
2 of direct labor costs.

3 “(2) “Indirect cost” means a cost incurred for a common or joint purpose
4 benefiting more than one project that is not readily assignable to a project specifically benefitted.

5 “(3) “Indirect cost rate” means a method for determining in a reasonable manner
6 the proportion of indirect costs each project should bear.

7 “(4) “Labor surcharges” means the cost of employee fringe benefits, worker
8 compensation insurance, leave, and similar labor-related costs.

9 “(b) There is established the following cost transfer projects within the District
10 Department of Transportation capital budget, which shall be used to collect labor surcharges and
11 indirect costs that are recoverable with federally approved indirect and additive rates:

12 “(1) A labor cost transfer project, which shall collect indirect labor costs and labor
13 surcharges that cannot be directly charged to capital projects due to federal and local regulation,
14 but are eligible for indirect and additive rate recovery; and

15 “(2) An administrative cost transfer project, which shall collect indirect material
16 testing contract costs, Davis Bacon costs, the production costs of manuals and other
17 administrative Federal Highway Administration support costs, as approved by the Chief
18 Financial Officer of the District of Columbia, which are eligible for federal reimbursement.

19 “(c) The labor cost transfer project shall not be authorized any funds from the budget.

20 “(d) The administrative cost transfer project shall be allocated budget authority for
21 contractual services.

22 “(e) All expenditures posted to the transfer projects during a fiscal year shall be
23 reallocated to active projects based on approved indirect and additive rates, reallocated to the
24 operating budget, or otherwise removed from the cost transfer projects by the end of that fiscal
25 year.

1 “(f) Beginning October 1, 2012, the Mayor shall submit to the Council, on a quarterly
2 basis, a report certified by the Chief Financial Officer of the District of Columbia that:

3 “(1) Provided that the current cost transfer project expenditure balances;

4 “(2) Lists the projects or accounts to which any transfer project expenditures have
5 effectively been charged or moved; and

6 “(3) Identifies the amount charged or moved.”.

7 Sec. 6024. The Department of Transportation Establishment Act of 2002, effective May
8 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

9 (a) Section 3(c) (D.C. Official Code § 50-921.02(c)) is amended by adding a new
10 paragraph (3) to read as follows:

11 “(3) Notwithstanding paragraph (1) of this subsection, the Director may issue sole
12 source subgrants in excess of \$1 million to the Union Station Redevelopment Corporation for the
13 purpose of improving Union Station; provided, that the grants are federal grants and that the
14 Union Station Redevelopment Corporation provides any necessary match.”.

15 (b) A new section 9g is added to read as follows:

16 “Sec. 9g. Sustainable Transportation Fund.

17 “(a) There is established as a nonlapsing fund the Sustainable Transportation Fund
18 (“Fund”), which shall be administered by the Director of the District Department of
19 Transportation and be used by the District Department of Transportation on approved capital
20 projects for bus-operating enhancements, including:

21 “(1) Unfunded recommendations in WMATA Bus Line Studies and WMATA
22 Service Evaluations; and

23 “(2) Other investments determined by the Mayor to enhance bus transit
24 operational efficiency and customer service within the District of Columbia.

1 “(b) Fees collected for the parking of vehicles where meters or devices are installed shall
2 be deposited into the Fund in accordance with section 3(h)(3) of the District of Columbia Motor
3 Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official
4 Code § 50-2603).

5 ”(c) All funds deposited into the Fund, and any interest earned on those funds, shall not
6 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end
7 of a fiscal year, or at any other time, but shall be continually available for the uses and purposes
8 set forth in subsection (a) of this section without regard to fiscal year limitation, subject to
9 authorization by Congress.”.

10 Sec. 6025. Section 3 of the District of Columbia Motor Vehicle Parking Facility Act of
11 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code §50-2603), is amended by
12 adding a new paragraph (h) to read as follows:

13 “(h)(1) The following amounts collected from the parking of vehicles where
14 meters or devices are installed shall be dedicated to paying a portion of the District’s annual
15 operating subsidies to the Washington Metropolitan Area Transit Authority:

16 “(A) \$30,578,700 for fiscal year 2013;

17 “(B) \$30,578,700 for fiscal year 2014;

18 “(C) \$30,976,223 for fiscal year 2015; and

19 “(D) \$31,378,914 for fiscal year 2016, and each year thereafter.”.

20 “(2) Pursuant to section 2a of the Performance Parking Pilot Zone Act of 2008,
21 effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531.01), one-half of
22 | the net revenue derived from any modifications to meter rates or , meter hours, or metered areas
23 | within each performance parking zone shall be deposited in the Performance Parking
24 | Fund; provided, that the net revenue :

25 | “(A) For performance parking zones established:

1 “(i) After September 30, 2012, shall be the amount in excess of the
2 revenue that would have been collected if the Mayor had kept the meter rates, and meter hours,
3 and metered areas in effect as of September 30, 2012; and

4 “(ii) Before October 1, 2011, shall be the amount in excess of the
5 revenue that would have been collected if the Mayor had kept the meter rates, meter hours, and
6 metered areas in effect as of September 30, 2011;

7 “(B) For the H Street Performance Parking Zone shall be the amount in
8 excess of the revenue that would have been collected if the Mayor kept the meter rates, meter
9 hours, and metered areas in effect as of June 1, 2012.

10 “(3) Other fees collected for the parking of vehicles where meters or devices are
11 installed shall be dedicated to the Sustainable Transportation Fund established by section 9g of
12 the Department of Transportation Establishment Act of 2002, as approved by the Committee of
13 the Whole on May 15, 2012 (Committee print of Bill 19-743), .”.

14 Sec. 6026. Applicability

15 Section 6025 shall apply as of October 1, 2012.

16 **SUBTITLE D. WASHINGTON METROPOLITAN AREA TRANSIT**
17 **AUTHORITY MEMORANDUM OF UNDERSTANDING ESTABLISHMENT**

18 Sec. 6031. Short title.

19 This subtitle may be cited as the “Washington Metropolitan Area Transit Authority
20 Memorandum of Understanding Establishment Amendment Act of 2012”.

21 Sec. 6032. Section 1 of An Act To grant additional powers to the Commissioners of the
22 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.
23 Official Code § 1-301.01), is amended by adding a new subsection (j-1) to read as follows:

24 “(j-1)(1) Placement of orders with the Washington Metropolitan Area Transit Authority--
25 Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.

1 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor, or his or her delegate, may
2 contract with the Washington Metropolitan Area Transit Authority for materials, supplies,
3 equipment, work, or services of any kind. Contracts executed pursuant to this subsection shall
4 be considered obligations upon appropriations in the same manner as orders or contracts
5 executed pursuant to subsections (j) or (k) of this section.

6 “(2) For the purposes of this subsection, the District Department of
7 Transportation shall be an authorized delegate.”.

8 **SUBTITLE E. PERFORMANCE PARKING ZONE EXPANSION**

9 Sec. 6041. Short title.

10 This subtitle may be cited as the “Performance Parking Zone Expansion Amendment Act
11 of 2012”.

12 Sec. 6042. The Performance Parking Pilot Zone Act of 2008, effective November 25,
13 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

14 (a) Section 2 (D.C. Official Code § 50-2531) is amended as follows:

15 (1) The heading is amended by striking the phrase “Performance Parking Pilot
16 Program” and inserting the phrase “Performance Parking Zones” in its place

17 (2) Subsection (a) is amended as follows:

18 (A) Strike the phrase “a Performance Parking Pilot Program” and insert
19 the phrase “Performance Parking Zones” in its place.

20 (B) Strike the phrase “within and around established performance parking
21 pilot zones” and insert the phrase “citywide” in its place.

22 (3) Subsection (b) is amended by striking the phrase “performance parking pilot
23 zone”.

24 (4) Subsection (c) is amended by striking the phrase “Within each performance
25 parking pilot zone, the Mayor shall” and insert the phrase “The Mayor may” in its place.

1 (5) Subsection (d) is amended by striking the phrase “Within each performance
2 parking pilot zone, and notwithstanding” and inserting the word “Notwithstanding” in its place.

3 (6) Subsection (e) is amended as follows:

4 (A) Strike the word “increasing” and insert the word “changing” in its
5 place.

6 (B) Strike the phrase “within a performance parking pilot zone”.

7 (7) Subsection (f) is amended by striking the phrase “within a performance
8 parking pilot zone, except for changes to curbside parking fees pursuant to subsection (d)(1) of
9 this section.”.

10 (8) Subsection (g) is amended by striking the word “pilot”.

11 (9) Subsection (h) is amended as follows:

12 (A) Strike the phrase “pilot zone” and insert the phrase “performance
13 parking zone” in its place.

14 (B) Strike the phrase “parking pilot”.

15 (b) Section 2a (D.C. Official Code § 50-2531.01) is amended as follows:

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

17 “(a) There is established as a nonlapsing fund the Performance Parking Program Fund
18 (“Fund”), which shall be used solely for the purposes set forth in section 5, and shall be
19 administered by the Director of the District Department of Transportation. One-half of the net
20 revenue derived from any modifications to meter rates, meter hours, or metered areas within each
21 performance parking zone shall be deposited in the Fund, provided the net revenue:

22 “(1) For performance parking zones established:

23 “(A) After September 30, 2012, shall be the amount in excess of the
24 revenue that would have been collected if the Mayor had kept the meter rates, meter hours, and
25 metered areas in effect as of September 30, 2012;

1 “(B) Before October 1, shall be the amount in excess of the revenue that
2 would have been collected if the Mayor had kept the meter rates, meter hours, and metered areas
3 in effect as of September 30, 2011;

4 “(2) For the H Street performance parking zone shall be the amount in excess of
5 the revenue that would have been collected if the Mayor kept the meter rates, meter hours, and
6 metered areas at those levels as of June 1, 2012.”.

7 (1) Subsection (a) is amended by striking the sentence “All parking-meter revenue
8 collected within the Performance Parking Pilot Zones shall be deposited in the Fund.” and
9 inserting the sentence “One-half of the net revenue derived from any modifications to meter rates
10 or meter hours within each performance parking zone shall be deposited in the Fund; provided,
11 that the net revenue shall be the amount in excess of the revenue that would have been collected
12 if the Mayor had kept the rates and hours in effect as of September 30, 2012.” in its place.

13 (2) Subsection (b) is amended by striking the phrase “continually available for”
14 and inserting the phrase, “continually available for projects within the zone from which revenues
15 were raised for” in its place.

16 (c) Section 3a(a) (D.C. Official Code §50-2532.01(a)) is amended to read as follows:

17 “(a) The H Street N.E. Performance Parking Zone is designated as the area within the
18 following boundary: K Street, N.E., from 3rd Street, N.E., to 8th Street, N.E.; 8th Street, N.E.,
19 from K Street, N.E., to Florida Avenue, N.E.; Florida Avenue, N.E., from 8th Street, N.E., to
20 15th Street, N.E.; 15th Street, N.E., from Florida Avenue, N.E., to E Street, N.E.; E Street, N.E.,
21 from 15th Street N.E., to 3rd Street, N.E.; 3rd Street, N.E., from E Street, N.E., to K Street, N.E.;
22 including both sides of these boundary streets.”.

23 (d) Section 5 (D.C. Official Code § 50-2534) is amended as follows:

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

1 “(a) The Performance Parking Program Fund shall be used for non-automobile
2 transportation investments in each zone. These investments shall supplement or substantially
3 accelerate investments that would otherwise be made by the District.”.

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

5 “(c) DC Surface Transit, Inc. shall serve as an official advisory body to the District
6 Department of Transportation for performance parking implementation within the Central
7 Washington Area (as defined in 10 DCMR 16), except where the Central Washington Area
8 overlaps with preexisting performance parking zones.”.

9 (e) Section 6 (D.C. Official Code § 50-2535) is amended as follows:

10 (1) The heading is amended to read as follows:

11 “Sec. 6. Reporting requirements and oversight for each performance parking zone.”.

12 (2) Subsection (a) is amended by striking the word “pilot”.

13 (3) Subsection (b) is amended to read as follows:

14 “(b) At the request of any ANC or Ward Councilmember representing all or part of a
15 performance parking zone, DDOT shall conduct public meetings to provide an update on parking
16 management targets and an opportunity for public comment.”.

17 (4) Subsection (c) is repealed.

18 (5) Subsection (d) is amended to read as follows:

19 “(d) The Mayor shall provide quarterly reports to the Council and make the reports
20 available on its website detailing the following information for each performance parking zone:

21 “(1) Quarterly revenue;

22 “(2) Quarterly revenue associated with performance parking meter pricing;

23 “(3) Quarterly expenditures on non-automobile transportation improvements; and

24 “(4) The balance of funds available for additional non-automobile transportation
25 investments.”.

1 (6) Subsection (e) is repealed.

2 **SUBTITLE F. DISTRICT OF COLUMBIA TAXICAB COMMISSION FUND**

3 Sec. 6051. Short title.

4 This subtitle may be cited as the “District of Columbia Taxicab Commission Fund
5 Amendment Act of 2012”.

6 Sec. 6052. Section 20a(a) of the District of Columbia Taxicab Commission
7 Establishment Act of 1985, effective May 10, 1988 (D.C. Law 7-107; D.C. Official Code § 50-
8 320(a)), is amended to read as follows:

9 “(a) There is established within the District of Columbia treasury a fiduciary fund known
10 as the District of Columbia Taxicab Commission Fund (“Fund”). The Fund shall consist of:

11 “(1) All assessments levied by the Commission against taxicab operators upon the
12 issuance and renewal of a public vehicle operator’s identification license issued pursuant to D.C.
13 Official Code § 47-2829(e); and

14 “(2)(A) The proceeds of a fee established by the Commission, by rule, that is
15 estimated to aggregate at least \$1 million in fiscal year 2013, and each fiscal year thereafter; or

16 “(B) Any other amounts designated by law or reprogramming to be
17 deposited into the Fund in an amount that is estimated to aggregate at least \$1 million in fiscal
18 year 2013, and each fiscal year thereafter.”.

19 **SUBTITLE G. DDOT POLICY COMPENDIUM**

20 Sec. 6061. Short title.

21 This subtitle may be cited as the “District Department of Transportation Policy
22 Compendium Act of 2012”.

23 Sec. 6062. Policy compendium.

1 (a) On or before September 30, 2013, the District Department of Transportation shall
2 prepare a policy compendium listing all of the agency’s policies and procedures that affect the
3 management of the transportation network and public space.

4 (b) The District Department of Transportation shall make the policy compendium
5 available online.

6 Sec. 6063. Reports.

7 On or before October 1, 2012, January 1, 2013, April 1, 2013, and July 1, 2013, the
8 District Department of Transportation shall submit a report to the Council on the status of the
9 policy compendium, the progress made in the preceding quarter, and the projected timeline for
10 completion.

11 **SUBTITLE H. HEALTHY AND EFFICIENT HOMES**

12 Sec. 6071. Short title.

13 This subtitle may be cited as the “Healthy and Efficient Homes Amendment Act of
14 2012”.

15 Sec. 6072. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective
16 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

17 (a) Paragraph (7) is amended by the striking the period at the end and inserting the
18 phrase “; and” in its place.

19 (b) A new paragraph (8) is added to read as follows:

20 “(8) Weatherization, appliance replacement, and healthy homes programs for fiscal year
21 2013 in the amount of \$2 million.”.

22 Sec. 6073. Applicability.

23 This subtitle shall apply as of October 1, 2012.

24 **SUBTITLE I. FOSTER YOUTH TRANSIT SUBSIDY**

25 Sec. 6081. Short title.

1 “Sections 302(b)(1), 304, and 502(a) shall apply upon the inclusion of their fiscal effect
2 in an approved budget and financial plan.”.“Sec. 601. Applicability.

3 “Title I, Title III, amendatory section 115c of section 402(b), and section 502 shall apply
4 upon the inclusion of its fiscal effect in an approved budget and financial plan.”.

5 Sec. 7005. Section 47-4605(d) of the District of Columbia Official Code is amended by
6 adding a new paragraph (3) to read as follows:

7 “(3) The real property tax exemption granted by paragraph (1) of this subsection
8 shall apply to Square 5190, lots 806, 807, and 808, and Square 5348 lots 1, 2, 3, 4, 5, 6, 7, and 8
9 for the consecutive real property tax years beginning with Tax Year 2003.”.

10 Sec. 7006. Section 3 of the Washington Ballet Equitable Real Property Tax Relief Act of
11 2011, effective January 12, 2012 (D.C. Law19-77; 58 DCR 10100), is repealed.

12 Sec. 7007. Section 3 of the Lottery Amendment Repeal Amendment Act of 2012
13 effective May 23, 2012 (D.C. Act 19-322; 59 DCR 2254), is repealed.

14 Sec. 7008. Section 3 of the Community Council for the Homeless at Friendship Place
15 Equitable Real Property Tax Relief Act of 2011, effective December 2, 2011 (D.C. Law 19-42,
16 58 DCR 8926), is repealed.

17 Sec. 7009. Section 701 of the Raising the Expectations for Education Outcomes Omnibus
18 Act of 2012, signed by the Mayor on April 20, 2012 (D.C. Act 19-345; 59 DCR 3642), is
19 amended to read as follows:

20 “Sec. 701. Applicability.

21 “(a) This act shall apply through September 30, 2013.

22 “(b) Beginning on October 1, 2013, this act shall apply upon the inclusion of its fiscal
23 effect in an approved budget and financial plan.”.

24 Sec. 7010. Section 3 of the Accountant Mobility Act of 2011, effective December 2, 2011
25 (D.C. Law 19-43; 58 DCR 8929), is repealed.

1 Sec. 7011. Section 3 of the Corrections Information Council Amendment Act of 2010,
2 effective October 2, 2010 (D.C. Law 18-233; 57 DCR 4514), is repealed.

3 Sec. 7012. Section 3 of the District of Columbia Public Schools and Public Charter
4 School Student Residency Fraud Prevention Amendment Act of 2012, effective May 9, 2012
5 (D.C. Law 19-126; 59 DCR 1939), is repealed.

6 Sec. 7013. Section 3 of the Long-Term Care Ombudsman Program Amendment Act of
7 2012, effective March 14, 2012 (D.C. Law 19-111; 59 DCR 455), is repealed.

8 Sec. 7014. There is allocated \$400,000 from the fiscal year 2013 operating margin as
9 partial funding for Section 3 of the New Issue Bond Program Tax Exemption Amendment Act of
10 2011, effective December 13, 2011 (D.C. Law 19-60; 58 DC Register 9169), is repealed.

11 Sec. 7015. (a) Section 19 of the Health Benefit Exchange Authority Establishment Act of
12 2012 is amended to read as follows:

13 “Sec. 19. Applicability.

14 “(a) This act shall apply through September 30, 2014.

15 “(b) Beginning on October 1, 2014, this act shall apply upon the inclusion of its fiscal
16 effect in an approved budget and financial plan.”.

17 (b) This section shall apply as of the effective date of this act.

18 **SUBTITLE B. TARGETED RETIREMENT DISTRIBUTION WITH HOLDING**

19 Sec. 7021. Short title.

20 This subtitle may be cited as the “Targeted Retirement Distribution Withholding Act of
21 2012”.

22 Sec. 7022. Section 47-1812.08(m) of the District of Columbia Official Code is amended
23 to read as follows:

24 “(m)(1) Except as provided in paragraph (2) of this subsection, if a resident payee
25 receives a payment from a retirement plan or retirement account that is a lump-sum distribution,

1 District income tax shall be withheld on the lump-sum distribution by the payor at the highest
2 District individual income tax rate that is in effect at the time of the distribution.

3 “(2) Paragraph (1) of this subsection shall not apply to:

4 “(A) Any portion of a lump-sum payment that was previously subject to
5 tax;

6 “(B) An eligible rollover distribution that is effected as a direct trustee-to-
7 trustee transfer; or

8 “(C) A rollover from an individual retirement account to a traditional or
9 Roth individual retirement account that is effected as a direct trustee-to-trustee transfer.

10 “(3) For the purposes of this subsection, the term:

11 “(A) “Lump-sum distribution” means a payment from a payor to a
12 resident payee of the resident payee’s entire account balance, exclusive of any other tax
13 withholding and any administrative charges and fees.

14 “(B) “Retirement account” or “retirement plan” means:

15 “(i) A qualified employee plan;

16 “(ii) A qualified employee annuity plan;

17 “(iii) A defined contribution plan;

18 “(iv) A defined benefit plan;

19 “(v) A tax-sheltered annuity plan;

20 “(vi) An individual retirement account;

21 “(vii) Any combination of the plans and account listed in sub-
22 subparagraphs (i) through (vi) of this subparagraph; or

23 “(viii) Any similarly situated account or plan as defined by the
24 Internal Revenue Code of 1986.

1 “(4) This subsection shall apply within 5 days of the effective date of the
2 Targeted Retirement Distribution Withholding Emergency Act of 2012, effective February 24,
3 2012 (D.C. Act 19-316; 59 DCR 1709).”.

4 **SUBTITLE C. SUBSIDIZED NONPROFIT RENTAL UNIT FEE EXEMPTION**

5 Sec. 7031. Short title.

6 This subtitle may be cited as the “Subsidized Nonprofit Rental Unit Fee Exemption
7 Amendment Act of 2012”.

8 Sec. 7031. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C.
9 Law 6-10; D.C. Official Code § 42-3504.01), is amended by adding new subsections (c) and (d)
10 to read as follows:

11 “(c) A nonprofit rental housing provider shall be exempt from the rental unit fee if the
12 provider:

13 “(1) Establishes rent schedules for 440 or more subsidized housing units
14 affordable to tenants from low-income, very-low income, or extremely low-income households,
15 as these incomes are defined in section 2 of the Housing Production Trust Fund Act of 1988,
16 effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801); and

17 “(2) Does not receive subsidies but whose income-restricted units would
18 otherwise satisfy the eligibility requirements under:

19 “(A) The Housing Choice Voucher Program under section 8 of the United
20 States Housing Act of 1936, approved September 1, 1937 (50 Stat. 888; 42 U.S.C. § 1437(f)); or

21 “(B) The Low Income Housing Tax Credit under section 13142 of the
22 Revenue Reconciliation Act of 1993, approved August 10, 1993 (107 Stat. 312; 26 U.S.C. § 42).

23 “(d) For the purposes of this section, the term “nonprofit rental housing provider” means
24 an organization operating rental units or housing accommodations on a nonprofit basis under
25 which no part of the net earnings of the housing provider inure to the benefit of or are

1 distributable to its directors, officers, or any other private individual except as reasonable
2 compensation for services rendered to the nonprofit housing provider.”.

3 **SUBTITLE D. EMPLOYER USE TAX RETURN ACT**

4 Sec. 7041. Short title.

5 This subtitle may be cited as the “Employer Use Tax Return Act of 2012”.

6 Sec. 7042. Section 47-2211 of the District of Columbia Official Code is amended by
7 adding a new subsection (g) to read as follows:

8 “(g)(1) Beginning with the 12-month period ending September 30, 2012, any employer
9 required to file a District of Columbia withholding tax return who is not required to collect and
10 remit sales tax shall file an annual use tax return on or before October 20 of each year, in the
11 manner prescribed by the Chief Financial Officer, remitting with the return the use taxes that are
12 due.

13 “(2) The Chief Financial Officer may permit or require the returns to be made for
14 other periods and upon such other dates as he or she may specify; provided, that the gross
15 receipts during any tax year shall be included in returns covering such year and no other.

16 **SUBTITLE E. OVERPAYMENT INTEREST RATE**

17 Sec. 7051. Short title.

18 This subtitle may be cited as the “Overpayment Interest Rate Act of 2012”.

19 Sec. 7052. Section 47-4202(c) of the District of Columbia Official Code is amended to
20 read as follows:

21 “(c)(1) For overpayments on which interest is due on or before December 31, 2012, the
22 overpayment rate shall be 6% per year simple interest.

23 “(2) For overpayments on which interest is due beginning January 1, 2013, the
24 overpayment rate for each annual period shall be one percentage point above the Primary Credit

1 Discount Rate for the Richmond Federal Reserve Bank as of the previous September 30, rounded
2 to the nearest whole number, but not exceeding 6% in the aggregate.”.

3 **SUBTITLE F. LOWER EFT PAYMENT**

4 Sec. 7061. Short title.

5 This subtitle may be cited as the “Non-Individual Income Tax Electronic Filing
6 Threshold Act of 2012”.

7 Sec. 7062. Section 47-4402(c) of the District of Columbia Official Code is amended by
8 striking the figure “\$10,000” and inserting the figure “\$5,000” in its place.

9 **SUBTITLE G. HOMESTEAD DEDUCTION, PERSONAL EXEMPTION, AND**
10 **STANDARD DEDUCTION**

11 Sec. 7071. Short title.

12 This subtitle may be cited as the “Homestead Deduction, Personal Exemption, and
13 Standard Deduction Act of 2012”.

14 Sec. 7072. Title 47 of the District of Columbia Official Code is amended as follows:

15 (a) Chapter 8 is amended as follows:

16 (1) The first sentence of section 47-802(14) is amended to read as follows:”The
17 term “cost-of-living adjustment” for any real property tax year means an amount equal to the
18 dollar amount of the homestead deduction provided in §§ 47-850(a) and 47-850.01(a) multiplied
19 by the difference between the Consumer Price Index for the preceding real property tax year and
20 the Consumer Price Index for the real property tax year beginning October 1, 2010, divided by
21 the Consumer Price Index for the real property tax year beginning October 1, 2010.”.

22 (2) Section 47-824(b)(3)(J)(i) and (ii) is amended to read as follows:

23 “(i) The current tax year’s taxable assessment (determined by
24 taking into account the owner-occupant residential tax credit under § 47-864); and

1 “(ii) The estimate of the proposed taxable assessment for the tax
2 year (determined by taking into account an estimate of the owner-occupant residential tax credit
3 under § 47-864 by using the amount of the current tax year’s homestead deduction in lieu of the
4 amount of the proposed tax year’s homestead deduction).”.

5 (b) Section 47-1801.04(11)(A) is amended to read as follows:

6 “(11)(A) “Cost-of-living adjustment” means an amount, for any calendar
7 year, equal to the dollar amount set forth in paragraph (44)(A) and (B) or §
8 47-1806.02(f)(1)(A) and (i) multiplied by the difference between the Consumer Price Index for
9 the preceding calendar year and the Consumer Price Index for the calendar year beginning
10 January 1, 2011, divided by the Consumer Price Index for the calendar year beginning January 1,
11 2011.”.

12 **SUBTITLE H. DELINQUENT TAXPAYER REFUND OFFSET**

13 Sec. 7081. Short title.

14 This subtitle may be cited as the “Taxpayer Refund Offset for Department of Motor
15 Vehicle Liabilities Act of 2012”.

16 Sec. 7082. Section 47-4431(c) of the District of Columbia Official Code is amended as
17 follows:

18 (a) Paragraph (2) is amended by striking the word “or”.

19 (b) Paragraph (3) is amended by striking the period at the end and adding the phrase “;
20 or” in its place.

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

22 “(4) To owe delinquent taxes, fees, fines or other liabilities to the Department of
23 Motor Vehicles.”.

24 **SUBTITLE I. COMMERCIAL PROPERTY TAX RATE AMENDMENT**

25 Sec. 7091. Short title.

1 This subtitle may be cited as the “Commercial Property Tax Rate Act of 2012”.

2 Sec. 7092. Section 47-812(b-9) of the District of Columbia Official Code is amended as
3 follows:

4 (a) Paragraph (1)(A) is amended by striking the phrase “\$1.65” and inserting the phrase
5 “\$1.55” in its place.

6 (b) Paragraph (2)(A)(i) is amended by striking the phrase “beginning October 1, 2011,
7 the tax rate shall be \$1.65” and inserting the phrase “beginning October 1, 2013, the tax rate shall
8 be \$1.55” in its place.

9 Sec. 7093. This subtitle shall apply upon certification by the Chief Financial Officer that
10 sufficient revenue is available in the 3 remaining 2012 revenue estimates to fund subsection
11 (a)(1) through (1214) as set forth in the Revised Revenue Estimate Contingency Priority List Act
12 of 2012, as approved by the Committee of the Whole on May 15, 2012 (Committee print of Bill
13 19-743).

14 **SUBTITLE J. COOPERATIVE HOUSING ASSOCIATION ECONOMIC**
15 **INTEREST RECORDATION TAX**

16 Sec. 7101. Short title.

17 This subtitle may be cited as the “Cooperative Housing Association Economic Interest
18 Recordation Tax Amendment Act of 2012”.

19 Sec. 7102. The District of Columbia Real Estate Deed Recordation Tax Act, approved
20 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

21 (a) Section 302 (D.C. Official Code § 42-1102) is amended as follows:

22 (1) Paragraph (16) is repealed as of October 1, 2009.

23 (2) Paragraph (27) is amended by striking the word “and” at the end.

24 (3) Paragraph (28)(B)(ii)(II) is amended by striking the period and inserting a
25 semicolon in its place.

1 (4) New paragraphs (29) and (30) are added to read as follows:

2 “(29) Beginning October 1, 2009, a security interest instrument pertaining to a
3 cooperative housing association;

4 “(30) Beginning October 1, 2009, a deed of economic interest pertaining to a
5 limited-equity cooperative, as defined under D.C. Official Code § 47-802(11); and”.

6 (b) Section 302b(c) (D.C. Official Code § 42-1102.02(c)) is amended to read as follows:

7 “(c)(1) Notwithstanding any other provision of this section, every transfer of an interest
8 in a cooperative housing association in connection with the grant, transfer, or assignment of
9 proprietary leasehold or other proprietary interest, in whole or in part, shall be a transfer of an
10 economic interest.

11 “(2) This subsection shall apply as of October 1, 2009.”.

12 (c) Section 303 (D.C. Official Code § 42-1103) is amended as follows:

13 (1) Subsection (a)(2) is amended as follows:

14 (A) Strike the phrase “provided, that in the case of a transfer of shares”
15 and insert the phrase “provided, that, beginning October 1, 2009, in the case of a transfer of an
16 economic interest” in its place.

17 (B) Strike the phrase “, in whole or in part,”.

18 (2) Subsection (c) is amended by striking the period and inserting the phrase “;
19 provided further, that, beginning October 1, 2009, in the case of a deed that evidences a transfer
20 of an economic interest in a cooperative housing association, the cooperative housing association
21 shall be jointly and severally liable with the parties to the deed for the payment of taxes imposed
22 by this section regardless of whether the cooperative housing association itself is a party to the
23 deed.” in its place.

24 **SUBTITLE K. ONLINE VENDORS REMITTANCE OF HOTEL TAXES**

25 Sec. 7111. Short title.

1 This subtitle may be cited as the “Procedures for Remittance of Hotel Taxes by Online
2 Vendors Amendment Act of 2012”.

3 Sec. 7112. Section 47-2001 of the District of Columbia Official Code is amended as
4 follows:

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

6 “(a-1) “Additional charges” means the excess of the sale or charge receipts received by a
7 room remarketer over the net charges.”.

8 (b) Subsection (h-1) is amended to read as follows:

9 “(h-1) “Net charges” means the sale or charge receipts for any room or rooms, lodgings,
10 or accommodations furnished to transients, received from a room remarketer by the operator of a
11 hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or
12 accommodations are regularly furnished to transients for a consideration.”.

13 (c) Subsection (n)(C) is amended to read as follows:

14 “(C) The sale or charge, to include net charges and additional charges, for
15 any room or rooms, lodgings, or accommodations furnished to transients by any hotel, room
16 remarketer, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or
17 accommodations are regularly furnished to transients for a consideration.”.

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

19 “(v-2) “Transient” means any person who occupies, or has the right to occupy, any room
20 or rooms, lodgings, or accommodations for a period of 90 days or less during any one continuous
21 stay.”.

22 Sec. 7113. Section 47-2015(a-1) of the District of Columbia Official Code is amended to
23 read as follows:

24 “(a-1) For the purposes of this chapter and Chapter 22 of this title, a room remarketer
25 shall be deemed a vendor with respect to additional charges and shall file returns and remit tax

1 with respect to such additional charges. The room remarketer shall collect and remit the tax
2 imposed by this chapter and Chapter 22 of this title with respect to the net charges for the
3 accommodations to the operator of the hotel, inn, tourist camp, tourist cabin, or any other place
4 in which rooms, lodgings, or accommodations are regularly furnished to transients for a
5 consideration. The operator shall be deemed a vendor with respect to such net charges and shall
6 file returns and remit tax with respect to such net charges.”.

7 Sec. 7114. Section 47-2201(j) of the District of Columbia Official Code is amended to
8 read as follows:

9 “(j) The definitions of “additional charges,” “business,” “District,” “food or drink,”
10 “gross receipts,” “Mayor,” “net charges,” “person,” “purchaser’s certificate,” “retail
11 establishment,” “return,” “room remarketer,” “sale” and “selling,” “sales price,” “semipublic
12 institution,” “tangible personal property,” “tax,” “tax year,” “taxpayer,” and “transient” as
13 defined in Chapter 20 of this title, are incorporated in and made applicable to this chapter.”.

14 **SUBTITLE L. RECORDATION TAX ON REFINANCES OF SECURITY**
15 **INTEREST INSTRUMENTS**

16 Sec. 7121. Short title.

17 This subtitle may be cited as the “Recordation Tax on Refinances of Security Interest
18 Instruments Clarification Act of 2012”.

19 Sec. 7122. Section 303(a) of the District of Columbia Deed Recordation Tax Act,
20 approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103(a) *et seq.*), is amended as
21 follows:

22 (a) Strike the phrase “taxed at the rate of 1.1%” wherever it appears and insert the phrase
23 “taxed at the rate of 1.1% (to complete the calculation of total recordation tax due at time of
24 recording, see also additional tax in subsection (a-4) of this section)” in its place. (b) Paragraph
25 (3) is amended to read as follows:

1 “(3)(A) Notwithstanding paragraph (1) of this subsection, at the time a security
2 interest instrument is submitted for recordation, it shall be taxed at a rate of 1.1% (to complete
3 the calculation of total recordation tax due at time of recording, see also additional tax in
4 subsection (a-4) of this section) of the total amount of debt incurred that is secured by the
5 interest in real property; provided, that if the existing debt is refinanced, the rate shall be applied
6 only to the principal amount of the new debt in excess of the principal balance due on the
7 existing debt to the extent that such existing debt (including any prior debt that was previously
8 refinanced by the existing debt) was:

9 “(i) Previously taxable under this paragraph and the tax thereon
10 was timely and properly paid; or

11 “(ii) Exempt under section 302 or not otherwise taxable, including
12 purchase money mortgages described in section 302(5).

13 “(B) Any amendment, modification, or restatement of a security interest
14 instrument shall be deemed a refinance of the entire aggregate debt owed, unless the amendment,
15 modification, or restatement is a supplemental deed. With such a deemed refinance, the rate in
16 subparagraph (A) of this paragraph shall be applied only to the principal amount of the modified
17 debt (including amounts paid to the borrower on the existing security interest instrument during
18 the preceding 12 months) in excess of the principal balance due on the existing debt (before any
19 such payment) to the extent that the existing debt (including any prior debt that was previously
20 refinanced by the existing debt) was:

21 “(i) Previously taxable under this paragraph and the tax thereon
22 was timely and properly paid; or

23 “(ii) Exempt under section 302 or not otherwise taxable, including
24 purchase money mortgages described in section 302(5).”.

25 | Sec. 7123. Applicability.

1 Section 7122 shall apply as of October 1, 2012.

2 **SUBTITLE M. NONPROFIT AFFORDABLE HOUSING DEVELOPER TAX**
3 **RELIEF.**

4 Sec. 7131. Short title.

5 This subtitle may be cited as the “Nonprofit Affordable Housing Developer Tax Relief
6 Act of 2012”.

7 Sec. 7132. Chapter 10 of Title 47 of the District of Columbia Official Code is amended
8 as follows:

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

11 “47-1005.02. Nonprofit Affordable Housing Developer Tax Relief.”

12 (b) A new section 47-1005.02 is added to read as follows:

13 “§ 47-1005.02. Nonprofit Affordable Housing Developer Tax Relief.

14 “(a)(1) Property providing housing to households with 30% area median income or very
15 low-income, as defined by the U.S. Department of Housing and Urban Development for
16 households in the District of Columbia, (“affordable housing”) that is owned by an organization
17 that is not organized or operated for private gain, or that is owned by an entity controlled,
18 directly or indirectly, by such an organization, shall be exempt from the tax imposed by Chapter
19 8 of this title and from a payment in lieu of tax imposed under §47-1002(20) during the time that
20 the real property continues to be used for affordable housing and is under applicable use
21 restrictions during a federal low-income housing tax credit compliance period, including any
22 extended use period, or similar federal or local program compliance period governing income
23 and use restrictions.

24 “(2) The conveyance of a property to an owner for which a certification as to
25 both the property and owner has been made pursuant to subsection (b)(1) under this section (and

1 that has not been revoked under subsection (b)(2) under this section) shall be exempt from the
2 tax imposed by the District of Columbia Deed Recordation Tax Act, approved March 2, 1962
3 (76 Stat. 11; D.C. Official Code § 42-1101 et seq.), and the transfer of any of property by an
4 owner for which a certification as to both the property and owner has been made pursuant to
5 subsection (b)(1) under this section (and that has not been revoked under subsection (b)(2) under
6 this section) shall be exempt from the tax imposed by Chapter 9 of Title 47. Unless waived by
7 regulation, a copy of the certification shall accompany the deed at the time it is submitted for
8 recordation in order to claim an exemption.

9 “(a)(1) Property providing extremely low- or very low-income housing, as defined by the
10 U.S. Department of Housing and Urban Development, (“affordable housing”) that is owned by
11 an organization that is not organized or operated for private gain, or that is owned by an entity
12 controlled, directly or indirectly, by such an organization, shall be exempt from the taxation
13 imposed by Chapters 8 and 9 of this title and the District of Columbia Deed Recordation Tax
14 Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), and from a
15 payment in lieu of tax imposed under § 47-1002(20) during the time that the real property is
16 being developed for the exempt purposes or continues to be used for affordable housing and is
17 under applicable use restrictions during a federal low-income housing tax credit compliance
18 period, including any extended use period, or similar federal or local program compliance period
19 governing income and use restrictions.

20 “(2b) (1) The Mayor shall certify to the Office of Tax and Revenue (“OTR”) each
21 taxpayer owner and property eligible for an exemption. The certification shall identify:

22 “(A) The property to which the certification applies by square and lot, or
23 parcel or reservation number;

24 “(B) The full legal name of the specific owner, including taxpayer
25 identification number, that is eligible;

1 “(C) The tax or taxes to which the certification applies;

2 “(D) The portion of the property that is eligible;

3 “(DE) The effective date of the exemption, which shall be the date on
4 which the organization acquired the parcel, or October 1, 2012, whichever is later; and

5 “(EF) Any other information the Office of Tax and Revenue OTR shall
6 require to administer the exemption.

7 “(32) The Mayor shall notify the Office of Tax and Revenue OTR if any
8 taxpayer owner or property certified as eligible under paragraph (2) of this subsection becomes
9 ineligible for the exemption under paragraph (1) of this subsection. The notification shall
10 identify:

11 “(A) The property to which the notice applies by square and lot or parcel
12 or reservation number;

13 “(B) The full legal name of the owner, including taxpayer identification
14 number;

15 “(C) The tax or taxes to which the notice applies;

16 “(D) The portion of the property ineligible;

17 “(DE) The date on which the taxpayer or property became ineligible; and

18 “(EF) Any other information the Office of Tax and Revenue OTR shall
19 require to administer the termination of the exemption.

20 “(43) The Office of Tax and Revenue OTR shall administer the exemption
21 provided under this section in the same manner as the exemptions provided under § 47-1002, and
22 properties exempted under paragraph (1) of this subsection shall be subject to §§ 47-1005, 47-
23 1007, and 47-1009, except that an owner shall not be required to file an application with the
24 Office of Tax and Revenue OTR to qualify for an exemption.

1 | “(bc) The grant of a tax exemption as provided in this section shall be in addition to, and
2 | not in lieu of, any other tax relief or assistance from any other source applicable to either the real
3 | property or its owner.

4 | “(cd) This section shall apply for real property tax years beginning after September 30,
5 | 2012.”.

6 | Sec. 7133. Section 302 of the District of Columbia Deed Recordation Tax Act, approved
7 | March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding a new
8 | paragraph (31) to read as follows:

9 | “(31) In accordance with the Nonprofit Affordable Housing Developer Tax
10 | Relief Act of 2012, as approved by the Committee of the Whole on May 15, 2012 (Committee
11 | print of Bill B19-743) (“Tax Relief Act”), a deed to property that provides extremely low- or
12 | low-income housing that is exempt from property taxation pursuant to the Tax Relief Act.”.

13 | **SUBTITLE N. GALLERY PLACE TIF REALLOCATION AND CONVENTION**
14 | **CENTER MARKETING FUND.**

15 | Sec. 7141. Short title.

16 | This subtitle may be cited as the “Gallery Place Tax Increment Refinancing Allocation
17 | and Washington Convention Center Authority Marketing Fund Amendment Act of 2012”.

18 | Sec. 7142. (a)(1) The Chief Financial Officer shall recognize the additional tax
19 | increment revenue above that which was needed for debt service for the Gallery Place Project
20 | Bonds, Series 2002 for the Gallery Place Project, as defined in section 2(a)(2) of the Gallery
21 | Place Economic Development Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-
22 | 241; D.C. Official Code § 2-1217.31(a)(2)), as fiscal year 2013 local funds revenue.

23 | (2) The funds recognized in paragraph (1) of this subsection shall be allocated to
24 | the Commission on Arts and Humanities on a one-time basis in fiscal year 2013.

1 (b)(1) The Chief Financial Officer shall recognize as local funds revenue in fiscal year
2 2013, and each fiscal year thereafter, the revenue projected to be returned from the bond trustee
3 under the indenture of the 2012 Gallery Place Project refinancing bonds.

4 (2) The funds recognized in paragraph (1) of this subsection shall be allocated as
5 follows:

6 (A) The amount of \$800,000 to the Commission on Arts and Humanities ;
7 and

8 (B) The amount of \$3 million to the Washington Convention and Sports
9 Authority Marketing Fund, pursuant to section 208a(h) of the Washington Convention Center
10 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §
11 10-1202.08a(h).

12 Sec. 7143. Section 208a of the Washington Convention Center Authority Act of 1994,
13 effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08a), is amended
14 by adding new subsections (h) and (i) to read as follows:

15 “(h) Beginning in fiscal year 2013 and each fiscal year thereafter, the Chief Financial
16 Officer shall transfer \$3 million from the General Fund of the District of Columbia to
17 supplement the Market Fund.

18 “(i)(1) In addition to any other limitation applicable under subsection (e)(1) of this
19 section, funds transferred pursuant to subsection (h) of this section shall be limited to Destination
20 DC-led advertising programs with the specific purpose to increase tourism and convention travel
21 to the District of Columbia and further the purpose of the marketing service contracts entered
22 into pursuant to subsection (e) of this section and used only for:

23 “(A) Targeted online advertising;

24 “(B) Search engine marketing;

25 “(C) Print media;

- 1 “(D) Broadcast media;
- 2 “(E) Social media marketing;
- 3 “(F) Outdoor media (billboards/signage);
- 4 “(G) Direct-to-consumer email campaigns; and
- 5 “(H) Pop-up experiential marketing opportunities.

6 “(2) All uses of funds transferred pursuant to subsection (h) of this section shall
7 be subject to mandatory return-on-investment analysis as determined by the Authority’s
8 marketing service contract oversight functions.

9 “(3) Any use of funds transferred pursuant to subsection (h) of this section that are
10 used outside the scope and intent of this subsection , as determined by the Authority pursuant to
11 its marketing service contract oversight function, shall lead to automatic revocation of remaining
12 funds transferred at the beginning of that fiscal year pursuant to subsection (h) of this section and
13 revert back to the General Fund for the District of Columbia.”.

14 **SUBTITLE O. MUNICIPAL BOND TAX REPEAL**

15 Sec. 7151. Short title.

16 This subtitle may be cited as the “Out-of-State Municipal Bond Tax Repeal Act of 2012”.

17 Sec. 7152. Section 47-1803.02(a)(1)(B) of the District of Columbia Official Code is
18 amended to read as follows:

19 (a) Paragraph (1)(B) is amended by striking the phrase “For individuals,
20 estates, and trusts, interest upon the obligations of a state, territory of the United States, or any
21 political subdivision thereof, but not including the District, acquired by the taxpayer on or after
22 January 1, 2012, shall be included in the computation of District gross income.” and inserting the
23 phrase “(B) Individuals, estates, and trusts shall not include interest on the obligations of the
24 District of Columbia, a state, a territory of the United States, or any political subdivision thereof,
25 in the computation of District gross income.” in its place.

1 (b) Paragraph (1A) is repealed in its entirety.

2 Sec. 7153. This subtitle will apply only if the Chief Financial Officer certifies that
3 sufficient revenue is available in the 3 remaining 2012 revenue estimates to fund item subsection
4 (a)(1) through (25) 1-23 in Title X section 10002 of the Fiscal Year 2013 Budget Support Act of
5 2012, the Revised Revenue Estimate Contingency Priority List of 2012. This subtitle shall apply
6 on the date of the Chief Financial Officer's certification.

7 **TITLE VIII. BUDGET SUPPORT ACT CONFORMING AND TECHNICAL**
8 **AMENDMENTS**

9 **SUBTITLE A. PRIOR BUDGET SUPPORT ACT AMENDMENTS**

10 Sec. 8001. Short title.

11 This subtitle may be cited as the "Prior Budget Support Act Amendment Act of 2012".

12 Sec. 8002. Section 1(i)(1) of An Act To grant additional powers to the Commissioners of
13 the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819;
14 D.C. Official Code § 1-301.01(i)(1)), is amended by striking the phrase "unrestricted fund
15 balance of the General Fund of the District of Columbia" and inserting the phrase "General Fund
16 of the District of Columbia" its place.

17 Sec. 8003. Section 558(b) of An Act To establish a code of law for the District of
18 Columbia, approved March 3, 1901 (31 Stat. 1279; D.C. Official Code § 1-1201(b)), is amended
19 by striking the following sentence:

20 "All proceeds collected pursuant to this section shall be deposited into the unrestricted
21 fund balance of the General Fund of the District of Columbia."

22 Sec. 8004. Section 702 of the District of Columbia Uniform Controlled Substances Act
23 of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code, § 48-907.02), is
24 repealed.

1 Sec. 8005. Section 5(i) of the Animal Control Act of 1979, effective October 18, 1979
2 (D.C. Law 3-30; D.C. Official Code § 8-1804(i)), is repealed.

3 Sec. 8006. Section 6013 of the Solid Waste Disposal Cost Recovery Act of 2007,
4 effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.91), is amended as
5 follows:

6 (a) Subsection (a) is amended by striking the word “lapsing” and inserting the word
7 “nonlapsing” in its place.

8 (b) Subsection (b) is amended by striking the phrase “be used for the purposes set forth
9 in subsection (c) of this section. Any monies not expended at the end of a fiscal year shall revert
10 to the unrestricted fund balance of the General Fund of the District of Columbia.” and inserting
11 the phrase “not revert to the unrestricted fund balance of the General Fund of the District of
12 Columbia at the end of a fiscal year, or at any other time, but shall be continually available for
13 the uses and purposes set forth in subsection (c) of this section without regard to fiscal year
14 limitation, subject to authorization by Congress.” in its place.

15 Sec. 8007. The Fiscal Year 2012 Budget Support Act of 2011, effective September 14,
16 2011 (D.C. Law 19-21; 58 DCR 6626), is amended by adding a new section 9109 to read as
17 follows:

18 “Sec. 9109. Notwithstanding any other law, the funds which are deposited in the fund
19 designated for accounting purposes by the Office of the Chief Financial Officer as fund 2531
20 within the Metropolitan Police Department shall be deposited in the General Fund of the District
21 of Columbia and shall not be accounted for by a separate fund or account within the General
22 Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this
23 subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of
24 Columbia.”.

1 Sec. 8008. Section 47-392.02(f) of the District of Columbia Official Code is amended as
2 follows:

3 (a) Paragraph (2) is amended by striking the number “2013” and inserting the number
4 “2016” in its place.

5 (b) Paragraph (3) is amended by striking the date “May 24, 2011” and inserting the date
6 “May, 2015” in its place.

7 Sec. 8009. Chapter 18 of Title 47 of the District of Columbia Official Code is amended
8 as follows:

9 (a) Section 47-1803.02(a)(1) is amended as follows:

10 (1) Subparagraph (A) is repealed.(2) Subparagraph Paragraph (1)(B) is amended
11 to read as follows:

12 “(B) For individuals, estates, and trusts, interest upon the obligations of a
13 state, territory of the United States, or any political subdivision thereof, but not including the
14 District, acquired by the taxpayer on or after January 1, 2012, shall be included in the
15 computation of District gross income.”.

16 (2) Paragraph (1A) is repealed.

17 (b) Section 47-1806.03(a) is amended by adding a new paragraph (8) to read as follows:

18 “(8)(A) In the case of a taxable year beginning after December 31, 2011, there is
19 imposed on the taxable income of every resident a tax determined in accordance with the
20 following table:

21 “If the taxable income is: The tax is:

22 “Not over \$10,000..... 4% of the taxable income

23 “Over \$10,000 but not over \$40,000..... \$400, plus 6% of the excess over \$10,000.

24 “Over \$40,000 but not over \$350,000..... \$2,200, plus 8.5% of the excess over 40,000

1 “Over \$350,000 \$28,550, plus 8.95% of the excess above
2 \$350,000.

3 “(B) This paragraph shall expire as of January 1, 2016.”.

4 Sec. 8010. Applicability.

5 Sections 8002, 8003, 8004, 8005, 8006, and 8007 shall apply as of September 14, 2011.

6 **SUBTITLE B. FY 2013 O-TYPE REDESIGNATION**

7 Sec. 8011. Short title.

8 This subtitle may be cited as the “Fiscal Year 2013 O-Type Redesignation Act of 2012”.

9 Sec. 8012. O-Type redesignation.

10 (a) Of the funds that were undesignated pursuant to section 10004 of the Fiscal Year
11 2012 Budget Support Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR
12 6226), \$29,709,447 shall be redesignated to accounts as set forth in the following table:
13

FUND NUMBER	AGENCY	FUND TITLE	AMOUNT
6008	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	R-E GUAR. & EDUC. FUND	\$594,862
6108	DC PUBLIC LIBRARY	COPIES AND PRINTING	\$170,302
6020	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	BOARD OF ENGINEERS FUND	\$49,273
6013	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	BASIC BUSINESS LICENSE FUND	\$1,109,4740
6030	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	GREEN BUILDING FUND	\$405,144
0600	DEPARTMENT OF CORRECTIONS	CORRECTIONS TRUSTEE REIMBURSEMENT	\$1,478,008
0632	DEPARTMENT OF HEALTH	PHARMACY PROTECTION	\$1,100,295
0643	DEPARTMENT OF HEALTH	BOARD OF MEDICINE	\$2,314,868
0634	DISTRICT DEPARTMENT OF THE ENVIRONMENT	SOIL EROSION/SEDIMENT CONTROL	\$322,205

6700	DISTRICT DEPARTMENT OF THE ENVIRONMENT	SUSTAINABLE ENERGY TRUST FUND	\$3,100,000
2200	TAXI CAB COMMISSION	TAXICAB ASSESSMENT ACT	\$57,779
0605	OFFICE OF THE ATTORNEY GENERAL	Child Support -Interest Income	\$894
0604	OFFICE OF THE ATTORNEY GENERAL	Child Support - Reimbursements & Fees	\$29,321
0603	OFFICE OF THE ATTORNEY GENERAL	CHILD SPT - TANF/AFDC COLLECTIONS	\$3,419,152\$3,135,988
0611	DEPARTMENT OF EMPLOYMENT SERVICES	WORKERS' COMPENSATION ADMIN.	\$9,556,870\$9,273,706
0631	OFFICE OF PEOPLE'S COUNSEL	ADVOCATE FOR CONSUMERS	\$712,404
0603	DEPARTMENT OF HUMAN SERVICES	SSI PAYBACK	\$340,220
1460	DEPARTMENT OF REAL ESTATE SERVICES	EASTERN MARKET ENTERPRISE FUND	\$58,130
2001	OFFICE OF MUNICIPAL PLANNING	HIST. LANDMARK & HIST. DIST. FILING FEES	\$80,269
0612	DEPARTMENT OF EMPLOYMENT SERVICES	U. I. INTEREST/PENALTIES	\$960,263
0624	DEPARTMENT OF EMPLOYMENT SERVICES	UI ADMINISTRATIVE ASSESSMENT	\$2,331,581\$2,048,417
0600	OFFICE OF CABLE TV	CABLE FRANCHISE FEES	\$777,407
6140	DEPARTMENT OF TRANSPORTATION	TREE FUND (EST DC ACT 14-614)	\$19,972
6400	DISTRICT DEPARTMENT OF THE ENVIRONMENT	DC MUNICIPAL AGGREGATION PROGRAM	\$35,055
0670	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ANACOSTIA RIVER CLEAN UP FUND	\$874,995
0662	DISTRICT DEPARTMENT OF THE ENVIRONMENT	RENEWABLE ENERGY DEVELOPMENT FUND	\$217,446
6800	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ENERGY ASSISTANCE TRUST FUND	\$20,999
6017	ALCOHOLIC BEVERAGE REGULATION ADMIN.	ABC -IMPORT AND CLASS LICENSE FEES	\$615,230\$355,248

1240	MEDICAL LIABILITY CAPTIVE INS AGENCY	CAPTIVE INSURANCE FUND	\$66,502
		Total:	\$29,709,446\$29,709,447

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(b) Of the funds not redesignated by subsection (a) of this section, the Chief Financial Officer shall recognize \$11,622,454 \$12,872,454 as fiscal year 2013 revenue.

(c) Notwithstanding any other provision of law, the Chief Financial Officer shall transfer from Fund 6013 under the Department of Consumer and Regulatory Affairs (the Basic Business License Fund) to Fund 6017 under the Alcoholic Beverage Regulation Administration (the ABC – Import and Class License Fees Fund) the following amounts:

- (1) In fiscal year 2012, \$512,505.
- (2) In fiscal year 2013, \$140,526.

TITLE IX. CAPITAL BUDGET

SUBTITLE A. DISTRICT DEPARTMENT OF TRANSPORTATION CAPITAL PROJECT REVIEW AND RECONCILIATION

Sec. 9001. Short title.

This subtitle may be cited as the “District Department of Transportation Capital Project Review and Reconciliation Amendment Act of 2012”.

Sec. 9002. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new Title IV to read as follows:

“Title IV. Capital project review and reconciliation.

“Sec. 11h. Definitions.

“For the purposes of this title, the term:

- “(1) “CFO” means the Chief Financial Officer of the District of Columbia .

1 “(2) “Director of Capital Programs” means the Director of Capital Programs
2 within the Office of Budget and Planning of the Office of the Chief Financial Officer.

3 “(3) “Inactive” means that no nonpersonal service funds have been obligated or
4 expended for a capital project during the immediately preceding months.

5 “(4) “Local Streets Ward-Based Capital Projects” means the District Department
6 of Transportation’s 8 local streets ward-based capital projects (Project No. SR301-SR308),
7 which endeavor to preserve, maintain, repair, or replace the District’s sidewalks, curbs, and
8 local roads.

9 “Sec.11i. Criteria for closing capital projects.

10 “(a) For any capital project funded from revenues in the Local Transportation Fund, the
11 CFO, in consultation with the Mayor, may close the project if the project:

12 “(1) Has obligated or expended funds in excess of its approved budget; or

13 “(2) Has been inactive for 12 months or longer.

14 “(b) For any capital project funded from revenues in the Highway Trust Fund, the CFO,
15 in consultation with the Mayor and the Federal Highway Administration Division, may close the
16 project if the project:

17 “(1) Has been closed by the United States Department of Transportation;

18 “(2) Has an open balance of:

19 “(A) \$500,000 or more, and has been inactive for 12 months;

20 “(B) Between \$50,000 and \$499,999, and has been inactive for 24 months;

21 or

22 “(C) Less than \$50,000, and has been inactive for 36 months; or

23 “(3) Has obligated or expended funds in excess of its approved budget.

1 “(c) If a capital project has a budget allotment in excess of its budget authority, the CFO,
2 in consultation with the Mayor, may adjust the allotment to \align it with the correct budget
3 authority.

4 “(d) The CFO may delegate the authority granted to him or her by this section to the
5 Director of Capital Programs.

6 “Sec.11j. Use of funds resulting from closure.

7 “(a) Funds resulting from the closure of a capital project pursuant to section 11i(a) shall
8 be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund up to an
9 annual level of \$1.5 million and then equally among the Local Streets Ward-Based Capital
10 Projects.

11 “(b) Funds resulting from the closure of capital projects pursuant to section 11i(b) shall
12 be allocated to the Federal Highway Administration capital projects approved for the current
13 fiscal year as part of that year’s Budget Request Act.

14 “Sec.11k. Quarterly summary.

15 The CFO shall submit to the Mayor and the Council a quarterly summary of all capital
16 project closures conducted pursuant to this title.”.

17 **SUBTITLE B. CAPITAL BUDGET REPORTING**

18 Sec. 9011. Short title.

19 This subtitle may be cited as the “Capital Budget Reporting Requirements Act of 2012”.

20 Sec. 9012. Beginning October 1, 2012, the Mayor shall submit to the Council, on a
21 quarterly basis, a report certified by the Chief Financial Officer of the District of Columbia
22 providing the lists of the projects or accounts to which any budget obligations or cash
23 expenditures have been charged or reclassified under the Office of Contracting and
24 Procurement’s Article 3 provision for emergency approval of expenditures for the District

1 Department of Transportation. The quarterly reports shall include documentation of sufficient
2 capital budget to support the obligations or expenditures.

3 **SUBTITLE C. CAPITAL BUDGET AUTHORITY TRANSFER**

4 Sec. 9021. Short title.

5 This subtitle may be cited as the “Capital Budget Authority Transfer Act of 2012”.

6 Sec. 9022. The following capital budget adjustments shall be made:

7 (a) The current budget authority and allotment shall be reduced for the following as
8 follows:

9 (1) Project AW000 – South Capitol Street Corridor;

10 (2) Fund detail 0320 – \$1,716,314;

11 (3) Fund Detail 0350 - \$6,085,114;

12 (4) Project TOP00 – Transit Operations and Dedicated Facilities;

13 (5) Fund Detail 0320 – \$187,220; and

14 (6) Fund Detail 0350 – \$663,780.

15 (b) The current budget authority and allotment shall be increased for the following as
16 follows:

17 (1) Project HTF00 – 11th Street Bridge;

18 (2) Fund Detail 0320 – \$1,903,534; and

19 (3) Fund Detail 0350 - \$6,748,894.

20 **SUBTITLE D. FISCAL YEAR 2012 CAPITAL PROJECT REALLOCATION**
21 **APPROVAL**

22 Sec. 9031. Short title.

23 This subtitle may be cited as the “Fiscal Year 2012 Capital Project Reallocation Approval
24 Act of 2012”.

			ELEMENTARY		
DCPS	NJ2	DGS	MACFARLAND MS	2007A	1,310,698
DCPS	NN6	DGS	SHARPE HEALTH-RENOVATION	2007C	3,653
DCPS	NO1	DGS	SLOWE ES	2003B,C,D	10,033
DCPS	NO2	DGS	SMOTHERS ES	2003B,C,D	12,322
DCPS	NP9	DGS	TURNER ES	2007C	6,888
DCPS	NQ3	DGS	WALKER JONES ES	2007A	819,004
DCPS	NR8	DGS	KELLY MILLER MS	2007C	24,226
DCPS	T22	DGS	DCPS GENERAL I.T.	2004A,B,C	1,041,980
DDO T	CK2	DDOT	FY02 ADVANCE DESIGN	2005A	108,494
DDO T	EDS	DDOT	GREAT STREETS INITIATIVES	2007A	4,555,525
DDO T	WTF	DDOT	RELOCATE GEORGTOWN SALT DOME TO RENO RD	2007A	206,975
DGS	AA2	DGS	DC ARMORY	2007C	23,169
DGS	GR9	DGS	RENOVATE OLD JUVENILE COURT BLDG	2001C	44,328
DGS	N14	DGS	GOVERNMENT CENTERS	2004A,B,C	2,313,438
DGS	PL106 C	DGS	GOVT CTRS POOL (ANACOSTIA-DOES-DHS)	2008E	1,704,507 457,198
DGS	WIL	DGS	WILSON BUILDING	2005A	37,999
DHS	SB6	DGS	CCNV SHELTER	2004A,B,C	10,000
DMH	HX9	DMH	SAINT ELIZABETH HOSPITAL IMPROVEMENTS	2001C	718
DMH	XA4	DMH	DEMOLITION OF DIX/JHP	2008E	37,823
DMV	WA3	DMV	BRENTWOOD RD NE-DMV	2002A	8,101
DMV	WA7	OCTO	MSMP-MOTORIST SERVICES MODERNIZATION PROGRAM	2004A,B,C	2,178,272
DOC	CE2	DGS	GEN. IMPROVEMENTS AT CENTRALDETENTI	2004A,B,C	154

			ON CENTER		
DPR	QBS	DGS	GORGETOWN POOL & REC CENTER	2003B,C,D	26
DPR	QD1	DGS	CAMP RIVERVIEW REC FACILITY	2004A,B,C	613,072
DPW	FM1	DPW	FACILITY RENOVATION – DPW	2003B,C,D	13,500
DPW	SW4	DPW	SOLID WASTE MANAGEMENT	2004A,B,C	4
FEMS	FTS	FEMS	FIRE TRAINING SIMULATOR	2001C	401,206
FEMS	LA1	DGS	ENGINE 1 COMPLETE RENOVATION	2004A,B,C & 2005A	249,164
FEMS	LA7	DGS	E-7/FLEET MAINTENANCE	2005A	8,896
FEMS	LB3	DGS	ENGINE 12 COMPLETE RENOVATION	2001C,2007C	551
FEMS	LB6	DGS	ENGINE 15 COMPLETE RENOVATION	2004A,B,C & 2005A	370,526
FEMS	LD1	DGS	ENGINE 28 COMPLETE RENOVATION	2003B,C,D	238,190
FEMS	LD2	DGS	ENGINE 29 COMPLETE RENOVATION	2004A,B,C & 2005A	1,064,988
FEMS	LE3	DGS	ENGINE 5 COMPLETE RENOVATION	2004A,B,C	18,737
FEMS	LE5	DGS	ENGINE 14 COMPLETE RENOVATION	2004A,B,C	220,987
FEMS	LE7	DGS	ENGINE 27 COMPLETE RENOVATION	2004A,B,C	306,173
FEMS	LF3	FEMS	FLEET MAINTENANCE	2004A,B,C	219,878
MPD	DP6	MPD	POLICE COMPUTERS	2007C	1,630

OCA	SM4	OCA	HOMELESS NO MORE	2008E	522,570
OCP	MMS	OCP	PMIS ENHANCEMENT	2001C	4,181
OCT O	N18	OCTO	DATA CENTER FACILITY IMPROVEMENTS	2004A,B,C	2,956,568
UDC	PA6	DGS	BUILDING # 44	2003B,C,D	2,052
TOTAL					\$ 22,243,741,209,996, 442

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**TABLE B
APPROVED CAPITAL PROJECTS TO WHICH BOND PROCEEDS ARE
REALLOCATED**

Agency	Project	Implementing Agency	Project Title	Bond Issuance Series	Amount
WMATA	TOP	WMATA	TRANSIT OPERATIONS & DEDICATED FACILITIES	N/A	\$ 22,243,751 20,996,442

SUBTITLE E. CAPITAL PROJECT RESCISSION.

Sec. 9041. Short title.

This subtitle may be cited as the “Capital Project Rescission Act of 2012”.

Sec. 9042. (a) The Chief Financial Officer shall rescind \$1.1 million of PAYGO allotment and budget authority from capital project EB402c, “Pennsylvania Avenue SE Properties” under the Deputy Mayor for Planning and Development, in fiscal year 2012.

(b) The Chief Financial Officer shall recognize the rescinded amount identified in subsection (a) of this section as fiscal year 2013 local funds revenue.

TITLE X. REVISED REVENUE ESTIMATE CONTINGENCY

Sec. 10001. Short title.

1 This subtitle may be cited as the “Revised Revenue Estimate Contingency Priority List
2 Act of 2012”.

3 Sec. 10002. (a) If, pursuant to the Fiscal Year 2013 Budget Request Act of 2012, local
4 revenues are certified in the June 2012, September 2012, or December 2012 revenue estimates
5 that exceed the annual revenue estimate incorporated in the approved budget and financial plan
6 for fiscal year 2013, the revenues shall be allocated in the following priority; provided, that if the
7 Chief Financial Officer certifies that the amount enumerated in a paragraph has already been
8 allocated from an alternative source, the paragraph shall not apply:

9 (1) Department of Human Services - \$7,000,000 to increase local funds for
10 homeless services to cover the loss of federal block grant carryover funds;

11 (2) Department of Human Services - \$14,700,000, in the following priority:

12 (A) \$1,749,000 to fund subtitle V-Q, the Temporary Assistance for Needy
13 Families Time Limit Amendment Act of 2012; and

14 (B) \$ 12,951,000 to increase the TANF job program toward universality;

15 and.

16 (B) \$1,749,000 to fund subtitle V-the Temporary Assistance for Needy
17 Families Time Limit Amendment Act of 2012

18 (3) An amount of \$9,540,000 to support the District of Columbia Public Schools,
19 Public Charter Schools, the Department of Mental Health, and the Child and Family Services
20 Agency for the purposes of implementing the South Capitol Street Memorial Amendment Act of
21 2012, signed by the Mayor on April 10, 2012 (D.C. Act 19-344; 59 DCR 3083);”Various
22 agencies - \$9,540,000 to fund and implement the South Capitol Street Memorial Amendment
23 Act of 2012, passed on 2nd reading on March 20, 2012 (D.C. Act 19-344; 59 DCMR 3083);

24 (4) An amount of \$18,000,000 to be allocated, in accordance with section 1 (d-4)
25 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer

1 required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-
2 801(d-4)) (“K Street disposition provision”), in the following priority:

3 (A) To be deposited into the Housing Production Trust Fund established
4 by section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C.
5 Law 7-202; D.C. Official Code § 42-2802) (“HTPF”);

6 (B) Provided, that the HTPF has been fully funded pursuant to the K
7 Street disposition provision, to the Department of General Services to purchase land in NoMa to
8 convert into park and recreational space.(4) Department of General Services - \$18,000,000 to
9 purchase land in NoMa to convert into park and recreational space;

10 (5) Office of the State Superintendent of Education - \$8,550,000 for increasing
11 infant and toddler services/early intervention slots by 925;

12 (56) Department of Human Services - \$1,700,000 for youth homelessness
13 prevention;

14 (67) Department of Human Services - \$1,575,451 to increase local funds to cover
15 the loss of federal funds in Family Services block grants, refugee services, emergency shelter,
16 pregnancy, and teen parenting;

17 (78) Department of Housing and Community Development - \$2,900,000 to
18 increase local funding for the Home Purchase Assistance Program;

19 (89) Deputy Mayor for Public Safety and Justice/Office of Victims Services -
20 \$2,584,000 for Emergency and Transitional Housing, the restoration of the cut to core services,
21 and to fund the Lethality Program;

22 (9) Office of the State Superintendent of Education - \$8,550,000 for increasing
23 infant and toddler services/early intervention slots by 925;

24 (10) Office of the State Superintendent of Education - \$5,000,000 for special
25 education improvement, compliance, and capacity building (11 FTEs);

1 | (10A11) Office of the State Superintendent of Education - \$5,000,000 for the
2 | Office of Adult and Family Education;
3 | (1112) Department of Employment Services - \$10,000,000 for adult job training;
4 | (13) District of Columbia Public Schools - \$1,600,000 to to restore funding for
5 | school librarians in public schools;
6 | (1214) General Fund Revenue - \$10,000,000 to reduce the commercial property
7 | tax rate on the first \$3,000,000 million of assessed value from \$1.65 to \$1.55 per \$100 of
8 | assessed value;
9 | (1314) University of the District of Columbia - \$3,000,000 to provide full funding
10 | requested by the University of the District of Columbia for early out;
11 | (1415) Office of Planning - \$1,500,000 for the Ward 8 Pilot budget challenge;
12 | (1516) Office on Aging - \$76,874 to increase one FTE full-time equivalent for the
13 | Senior Villages coordinator;
14 | (1617) Fire and Emergency Medical Services - \$540,000 to expand the Fire Cadet
15 | program;
16 | (1718) Department of Human Resources - \$320,000 to restore the Capital City
17 | Fellows Program (5 FTEs);
18 | (18A) District of Columbia Public Libraries - \$1,518,000 to expand library hours
19 | to 2008 levels;
20 | (19) Office of Motion Picture and Television Development - \$150,000 for a cost-
21 | benefit study;
22 | (1820) Department of General Services - \$1,500,000 for expenses related to the
23 | Takoma TheaterOffice of Motion Picture and Television Development - \$ 10,000,000 for
24 | additional funds in the Film DC Economic Incentive Fund;

1 (1921) Department of Small and Local Business Development - \$220,000 for 2
2 additional full-time equivalents;

3 (2022) Department of Consumer and Regulatory Affairs - \$150,000 for the
4 Boxing and Wrestling Commission;

5 (21) Office of Motion Picture and Television Development - \$150,000 for a cost-
6 benefit study;

7 (2223) Office of Motion Picture and Television Development - \$10,000,000 for
8 additional funds in the Film DC Economic Incentive Fund Department of General Services -
9 \$1,500,000 for expenses related to the Takoma Theater; and

10 (2324) Department of Parks and Recreation - \$5,000,000 for expenses related to
11 the Douglass Recreation Center.

12 (2425) General Fund Revenue - \$1,100,000 to Revenue sufficient to fund the Out-
13 of-State Municipal Bond Tax Repeal Act of 2012;

14 (2526) Age-in-Place and Equitable Senior Citizen Real Property Act of 2012
15 General Fund Revenue - \$5,100,000 to fund the fiscal impact of the Age-in-Place and Equitable
16 Senior Citizen Real Property Act of 2012, signed by the Mayor on May 18, 2012 (D.C. Act 19-
17 375; 59 DCR ____) Bill 19-512, approved unanimously May 1, 2012.; and

18 (27) General Fund Revenue - \$1,826,208 to fund the Protecting Injured
19 Government Workers Reform Amendment Act of 2012;

20 (b) The District of Columbia may obligate and expend any increase in the amount
21 of funds authorized by this section if the Chief Financial Officer certifies the increase in revenue
22 and certifies that the use of the amounts is not anticipated to have a negative impact on the long-
23 term financial plan of the District.

24 (c) If after the December revenue estimate, sufficient funds have not been identified in
25 the financial plan to support the costs of recurring initiatives, as set forth in paragraphs (4), (7),

1 (8), (13), and (14) of this subtitle, these initiatives shall be funded in fiscal year 2013, as one-
2 time only expenditures, to the extent that funds have been certified.

3 **TITLE XI. FISCAL IMPACT AND EFFECTIVE DATE.**

4 | Sec. 11001. Applicability.

5 | Except as otherwise provided, this act shall apply as of October 1, 2012.

6 | Sec. 11001 11002. Fiscal impact statement.

7 | The Council adopts the fiscal impact statement in the committee report as the fiscal
8 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
9 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

10 | Sec. 11002 11003. Effective date.

11 | This act shall take effect following approval by the Mayor (or in the event of veto by the
12 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
13 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
14 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
15 Columbia Register.