

**FISCAL YEAR 2013 BUDGET SUPPORT ACT OF 2012**  
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1 **COMMITTEE OF THE WHOLE**  
2 **May 15, 2012**  
3 **DRAFT Committee Print**  
4 **Bill 19-743, the Fiscal Year 2013 Budget Support Act of 2012**

5 A BILL

6 \_\_\_\_\_  
7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
8 \_\_\_\_\_

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

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

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

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

14 Sec. 1001. Short title.

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

16 Sec. 1002. Bonus and special pay limitations.

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

- 19 (1) Retirement awards;  
20 (2) Hiring bonuses for difficult-to-fill positions;  
21 (3) Additional income allowances for difficult-to-fill positions;  
22 (4) Agency awards or bonuses funded by private grants or donations;  
23 (5) Safe driving awards;  
24 (6) Gainsharing incentives in the Department of Public Works;

1 (6) Suggestion/invention awards; or

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

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

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

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

14 Sec. 1011. Short title.

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

17 Sec. 112. Section 2109 of the District of Columbia Government Comprehensive Merit  
18 Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code  
19 § 1-621.09), is amended as follows:

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

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

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

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

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

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

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

4 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute  
5 25%” in its place.

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

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

9 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute  
10 25%” in its place.

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

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

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

15 (B) Strike the phrase “contribute 28%” and insert the phrase “contribute  
16 25%” in its place.

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

19 (d) Subsection (l) 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 “contribute 28%” and insert the phrase “contribute 25%” in  
23 its place.

24

25

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 “District of Columbia Facilities Service Request Fund  
5 Establishment 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 1027 to read as follows:

9           “Sec. 1027. Establishment of the District of Columbia Facilities Service Request Fund.

10           “(a)(1) There is established within the General Fund of the District of Columbia a lapsing  
11 account to be known as the District of Columbia Facilities Service Request Fund (“Fund”). All  
12 funds received by the Department from non-District government tenants in District government  
13 facilities for facility-related services, including maintenance, janitorial, security, construction or  
14 other services provided by the Department in accordance with this title, shall be deposited into  
15 the Fund.

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

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

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

24           Sec. 1031. Short title.

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



1           Sec. 1032. The District of Columbia Government Comprehensive Merit Personnel Act of  
2 1979, 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 an affidavit or report of earnings.

9           “(2) For the purposes of this section, the term “earnings” includes any cash,  
10 wages or salary received from self-employment or from any other employment aside from the  
11 employment in which the worker was injured. Earnings also include commissions, bonuses, and  
12 the cash value of all payments and benefits received in any form other than cash. Commissions  
13 and bonuses earned before disability but received during the time the employee is receiving  
14 workers’ compensation benefits do not constitute earnings that must be reported.

15           “(3) An employee shall forfeit his or her right to workers’ compensation with  
16 respect to any period for which the affidavit or report was required if the employee:

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

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

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

23           “(5) The Mayor shall notify any employee receiving workers’ compensation  
24 benefits, on forms prescribed by the Mayor, of that employee’s affirmative duty to report  
25 earnings and shall specifically notify the employee that a failure to report earnings may subject  
26 him or her to termination from the program and or civil or criminal liability. The notice by the

1 Mayor may be satisfied by printing the notice on the employee payee statement (check stub)  
2 portion of indemnity checks sent to the employee.”.

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

6 **SUBTITLE E. DELINQUENT DEBT RECOVERY**

7 Sec. 1041. Short title.

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

9 **TITLE I**

10 Part. A.

11 Sec. 1042. Definitions.

12 For purposes of this act, 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 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.

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

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

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

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

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

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

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

12 Sec. 1044. Imposition of costs and fees.

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

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

22 Sec. 1045. Establishment of the Delinquent Debt Fund.

23 There is hereby established within the General Fund a special non-lapsing fund to be  
24 known as the Delinquent Debt Fund (the "Fund"). Funds allocated to the Central Collection Unit  
25 through the District's annual Budget and Financial Plan, all delinquent debts collected by the  
26 Central Collection Unit, and all fees authorized by section 144 shall be deposited into the Fund;  
27 provided, that with respect to any funds deposited in the Fund before the then-current fiscal year,

1 including any interest earned on such funds before the then-current fiscal year, the money  
2 remaining in the Fund after the payment of all costs and expenses accrued before the then-  
3 current fiscal year, less 10% of such remainder, which shall be retained as a reserve operating  
4 balance, shall be transferred or revert to the General Fund. All funds deposited in the Fund shall  
5 be administered and used by the Central Collection Unit, subject to appropriation by Congress, to  
6 conduct the authorized activities of the Central Collections Unit.

7           Sec. 1046. Lien for delinquent debt.

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

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

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

21           Sec. 1047. Payment plans, discharge of delinquent debt, sale of delinquent debt, and  
22 report to credit agencies.

23           (a) The Central Collection Unit is authorized, in its discretion, to:

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

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

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

1 (4) Report delinquent debts to credit agencies;

2 (5) Sell delinquent debt; and

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

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

10 Sec. 1048. Suspension of licenses and permits.

11 (a) Each District agency that transfers and refers a delinquent debt to the Central  
12 Collection Unit for collection shall, within 5 days of the transfer and referral, suspend the  
13 granting or issuance of any District license or permit to the delinquent debtor. The suspension  
14 shall remain in effect until the Central Collection Unit notifies the appropriate District agency  
15 that the delinquent debt has been satisfied.

16 (b) Each District agency that suspends the granting or issuance of a District license or  
17 permit pursuant to this section shall, concurrently with the suspension, provide written notice of  
18 the suspension to the Central Collection Unit within 5 days of the suspension.

19 (c) The Central Collection Unit shall provide to all District agencies, within 10 days of  
20 the end of the preceding month, a list of the names of all persons currently subject to suspension  
21 of the granting or issuing of a District license or permit due to delinquent debt.

22 Sec. 1049. Reciprocal agreements.

23 The Central Collection Unit is authorized to enter into reciprocal agreements for the  
24 collection of delinquent debts with any state, local, or municipal government.

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

1 (a) The Central Collection Unit is authorized to collect delinquent debt from District  
2 employees by deducting delinquent debt from the biweekly pay of District employees, in an  
3 amount not to exceed 10% of an employee's gross biweekly pay, until the delinquent debt is  
4 fully satisfied. In the event that a District employee's wages are subject to a preexisting  
5 attachment(s), the authority of the Central Collection Unit under this section shall not be  
6 effective until the preexisting attachment(s) has been satisfied in order of priority.

7 (b) The Central Collection Unit is authorized to collect delinquent debt from District  
8 contractors by deducting any amounts owed to a District contractor pursuant to a contractual  
9 obligation between the District and a contractor. For the purposes of this section, a District  
10 contractor includes any person who receives payments from the District pursuant to a contract or  
11 a grant agreement that requires the grantee to perform services in consideration for the payment  
12 of the grant amount. For the purposes of this section, a contractual obligation includes an  
13 obligation arising from a contract or a grant agreement described in the preceding sentence that  
14 is entered into after the effective date of this act.

15 (c) The Central Collection Unit is authorized to collect delinquent debts by offsetting  
16 District tax refunds and District lottery winnings against delinquent debts owed to the District.

17 Sec. 1051. Consumer protection.

18 The Central Collection Unit shall include in any contract with outside parties engaged to  
19 enforce collection of delinquent debt a provision that requires the contractor to fully comply with  
20 the Fair Debt Practices Collection Act, approved September 20, 1977 (91 Stat 874; 15 U.S.C. §  
21 1692 *et seq.*), the District of Columbia Consumer Protection Procedures Act, effective July 22,  
22 1976 (D.C. Law 1-76; D.C. Official Code § 28-3901 *et seq.*), and all other federal and District  
23 laws and rules that govern collection of delinquent debt.

24 Sec. 1052. Report to the Council.

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

27 (1) The amount of delinquent debt collected in the preceding fiscal year;

1 (2) The amount of uncollected delinquent debt owed to the District; and

2 (3) A summary of the efforts made to collect delinquent debt owed to the District  
3 and the challenges that remain for collecting it.

4 Part. B.

5 Sec. 1053. Conforming amendments.

6 (a) Section 1501 of the Fiscal Year 1998 Revised Budget Support Act of 1997, effective  
7 March 20, 1998 (D.C. Law 12-60; D.C. Official Code § 1-333.11), is repealed.

8 (b) Section 105(b) of the District of Columbia Traffic Adjudication Act of 1978, effective  
9 September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.05(b)), is amended by  
10 striking the last sentence.

11 TITLE II

12 Sec. 1054. The District of Columbia Government Comprehensive Merit Personnel Act of  
13 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is  
14 amended by adding a new section 2905 to read as follows:

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

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

23 “(b) For the purpose of this section, “responsible individual” means the District  
24 government employee, contractor, or volunteer who had registered, or signed-up to use the  
25 vehicle that was the subject of the notice of infraction, or who had been assigned to drive the  
26 vehicle that was the subject of the notice of infraction, at the time when the notice of infraction  
27 was issued.

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

5           “(d) If a responsible individual fails to pay a fine or fee imposed, the period for  
6 challenging the issuance of the notice of infraction has expired, and there is no final order  
7 dismissing the charges that led to the issuance of the notice of infraction, the Mayor may collect  
8 the amount owed, as provided for in section 2904 (D.C. Official Code § 1-629.04), or by any  
9 other means authorized by law.”.

10           **SUBTITLE F. DISTRICT OF COLUMBIA RETIREMENT BOARD ACTUARIAL**  
11 **METHOD**

12           Sec. 1061. Short title.

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

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

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

20           “(a)(1) When specified in paragraph (2) of this subsection, the Retirement Board shall  
21 engage an enrolled actuary, who may be the enrolled actuary engaged pursuant to section  
22 162(a)(4)(A) of the District of Columbia Retirement Reform Act, approved November 17, 1979  
23 (93 Stat. 885; D.C. Official Code § 1-732(a)(4)(A)), to make the following determinations as of a  
24 specified date on the basis of the entry age normal funding method and in accordance with  
25 generally accepted actuarial principles and practices with respect to each separate fund  
26 comprising the Funds:



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

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

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

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

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

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

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

21                   “(A) The normal cost;

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

24                   “(C) The unfunded accrued liability payment;

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

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

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

5           “(b)(1) On the basis of the most recent determinations made under subsection (a)(4) of  
6 this section, the Retirement Board shall, no less than 30 days before the date on which the Mayor  
7 is required to submit the annual budget for the District of Columbia government to the Council,  
8 pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24,  
9 1973 (87 Stat. 813; D.C. Official Code § 1-204.42), certify to the Mayor and the Council the  
10 amount of the District payment for each separate fund comprising the Funds.

11           “(2) The Mayor, in preparing each annual budget for the District of Columbia  
12 pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24,  
13 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), and the Council, in adopting each annual  
14 budget in accordance with section 446 of the District of Columbia Home Rule Act, approved  
15 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46) shall, for each separate fund  
16 comprising the Funds, include in the budget no less than the amount of the District payment for  
17 each separate fund comprising the Funds certified by the Retirement Board under paragraph (1)  
18 of this subsection. The Mayor and the Council may comment and make recommendations  
19 concerning any such amount certified by the Retirement Board.

20           “(c)(1) Before the enactment of any law, resolution, regulation, rule, or agreement  
21 producing any change in benefits under a Retirement Program, the Mayor shall engage and pay  
22 for an enrolled actuary, who may be the enrolled actuary engaged pursuant to section  
23 162(a)(4)(A) of the District of Columbia Retirement Reform Act, approved November 17, 1979  
24 (93 Stat. 885; D.C. Official Code § 1-732(a)(4)(A)), to estimate the effect of that change in  
25 benefits over the next 5 fiscal years on:

26                   “(A) The accrued liability of the Retirement Program;

27                   “(B) The unfunded accrued liability of the Retirement Program;

1                   “(C) The unfunded accrued liability payment with respect to the  
2 Retirement Program; and

3                   “(D) The normal cost with respect to the Retirement Program.

4                   “(2) Whenever any change in benefits under a Retirement Program pursuant to  
5 this subsection is made to either, but not both, the Metropolitan Police Department or the Fire  
6 and Emergency Medical Services Department, the Mayor shall engage an enrolled actuary to  
7 perform the same study contemporaneously for the employee group for which the change was  
8 not made.

9                   “(d) The Mayor shall transmit the estimates of the actuary to the Retirement Board, the  
10 Secretary of the Treasury, and the Council; provided, that the change in benefits shall not be  
11 effective until the end of the 30-day period beginning on the date the transmittals required herein  
12 have been completed.”.

13                   Sec. 1063. Applicability.

14                   This subtitle shall apply as of October 1, 2013.

15                   **SUBTITLE G. FINANCIAL DISCLOSURE AND ETHICS REFORM**  
16 **CLARIFICATION**

17                   Sec. 1071. Short title.

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

20                   Sec. 1072. Deadlines for financial disclosure filings.

21                   The Board of Ethics and Government Accountability Establishment and Comprehensive  
22 Ethics Reform Amendment Act of 2011, effective April 28, 2012 (D.C. Act 19-318; to be  
23 codified at D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

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

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

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

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

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

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

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

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

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

11 (c) Section 601(c) (D.C. Official Code § 1-1164.01(c)) is amended by striking the phrase  
12 “October 1, 2012,” and inserting the phrase “October 1, 2012, except that the Office of  
13 Campaign Finance shall administer and enforce the subtitle, including receiving and reviewing  
14 the necessary disclosures, until January 1, 2013.” in its place.

15 (d) A new section 310a is added to read as follows:

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

17 “Within the limitations specified in this act, any surplus, residual, or unexpended  
18 campaign funds received by or on behalf of an individual who seeks nomination for election, or  
19 election to office, shall be contributed to a political party for political purposes, used to retire the  
20 proper debts of his or her political committee that received such funds, transferred to a political  
21 committee, a charitable organization in accordance with D.C. Official Code § 47-1803.03(a)(8)  
22 or, in the case of an elected official, an established constituent services fund, or returned to the  
23 donors as follows:

24 “(1) In the case of an individual defeated in an election, within 6 months  
25 following the election;

26 “(2) In the case of an individual elected to office, within 6 months following the  
27 election; and

1                   “(3) In the case of an individual ceasing to be a candidate, within 6 months  
2 thereafter.”.

3                   (e) Section 601(b) is amended by adding a sentence at the end to read as follows:

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

6                   Sec. 1073. Any matter arising after January 29, 2012 from a violation of Title I, Subtitle  
7 C of the Board of Ethics and Government Accountability Establishment and Comprehensive  
8 Ethics Reform Emergency Amendment Act of 2012, effective January 29, 2012 (D.C. Act 19-  
9 298; 59 DCR 683), or Title II, Subtitle C of the Board of Ethics and Government Accountability  
10 Establishment and Comprehensive Ethics Reform Amendment Act of 2012, effective April 27,  
11 2012 (D.C. Law 19-124; 59 DCR 1862), may be enforced by the Elections Board until October  
12 1, 2012, after which pending matters shall be transferred to the Ethics Board for enforcement.

13                   Sec. 1074. Applicability.

14                   Except for section 1072(a) and (b), which shall apply as of January 1, 2013, this subtitle  
15 shall apply as of the effective date of this act.

16                   **SUBTITLE H. HOME RULE ACT 40<sup>TH</sup> ANNIVERSARY**

17                   Sec. 1081. Short title.

18                   This subtitle may be cited as the Home Rule Act 40<sup>th</sup> Anniversary Celebration and  
19 Commemoration Act of 2012”.

20                   Sec.1082. Definitions.

21                   For the purposes of this act, the term:

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

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

26                   (3) “Commission” means the Home Rule Act 40th Anniversary Celebration and  
27 Commemoration Commission established in section 1083.

1           Sec.1083. Home Rule Act 40th Anniversary Celebration and Commemoration

2 Commission; established.

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

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

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

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

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

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

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

15           (e) Each member of the Commission shall serve without compensation; provided, that  
16 each member may be reimbursed for actual expenses pursuant to section 1108 of the District of  
17 Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-  
18 139; D.C. Official Code § 1-611.08).

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

21           Sec. 1084. Staffing.

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

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

25           Sec. 1085. Home Rule 40th Anniversary Celebration and Commemoration Fund;  
26 established.

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

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

5 (A) Federal funds, if any;

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

7 (C) Proceeds from the sale of memorabilia and information related to the  
8 40th anniversary of the adoption of the Home Rule Act.

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

13 (c) The Commission may expend monies in the Fund to celebrate and commemorate the  
14 40th anniversary of the adoption of the Home Rule Act, including:

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

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

17 (A) Books;

18 (B) Pamphlets;

19 (C) Memorabilia; or

20 (D) Other material.

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

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

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

1 (6) Making grants available, subject to the availability of funds in the Fund,  
2 through a competitive process, for educational programs to public schools, public charter  
3 schools, and other organizations.

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

7 (8) Assuring that the observances appropriately recognize former mayors and  
8 Councilmembers, and other people who have contributed to the growth and development elected  
9 government in the District; and

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

13 Sec. 1086. Reporting requirement.

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

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

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

20 (B) Expenditure of \$100 or greater, including the name and address, of the  
21 recipient.

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

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

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



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

4 (2) A summary of the Commission’s activities; and

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

6 Sec. 1087. Use of District funds.

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

9 Sec. 1088. Sunset.

10 This subtitle shall expire on October 1, 2014.

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

12 Sec. 1091. Short title.

13 This subtitle may be cited as the “Merit Personnel Clarification and Leave Restoration  
14 Amendment Act of 2012”.

15 Sec. 1092. The District of Columbia Government Comprehensive Merit Personnel Act of  
16 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is  
17 amended as follows:

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

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

22 (b) Section 1203(h) (D.C. Official Code § 1-612.03(h)) is amended by striking the phrase  
23 “20 days” wherever it appears and inserting the phrase “30 days” in its place

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

25 Sec. 1101. Short title.

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

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

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

4                   “(2A) “Emergencies involving the safety of human life or the protection of  
5 property” does not include ongoing, regular functions of government the suspension of which  
6 would not imminently threaten the safety of human life or the protection of property.”.

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

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

10                   (2) Paragraph (2) is amended by striking the phrase “unless authorized by law”  
11 and inserting the phrase “unless authorized by law; provided, that this paragraph shall not  
12 prohibit the acceptance of voluntary services or employment of personal services exceeding that  
13 authorized by law during emergencies involving the safety of human life or the protection of  
14 property” in its place.

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

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

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

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

21           **SUBTITLE K. STATUTES AT LARGE.**

22           Sec. 1111. Short title.

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

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

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

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

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

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

5 (b) Subsection (c) is repealed.

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

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

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

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

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

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

## 23 **TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

### 24 **SUBTITLE A. UNEMPLOYMENT COMPENSATION ADDITIONAL** 25 **BENEFITS TRUST FUND STABILIZATION**

26 Sec. 2001. Short title.

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

3 Sec. 2002. An Act To provide for unemployment compensation in the District of  
4 Columbia, authorize appropriations, and for other purposes, approved August 28, 1935 (49 Stat.  
5 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

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

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

8 **SUBTITLE B. UNEMPLOYMENT COMPENSATION CLAIM PROCESSING**  
9 **EFFICIENCY AMENDMENT ACT**

10 Sec. 2011. Short title.

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

13 Sec. 2012. Section 11 of An Act To provide for unemployment compensation in the  
14 District of Columbia, authorize appropriations, and for other purposes, approved August 28,  
15 1935 (49 Stat 951; D.C. Code § 51-111), is amended by adding a new subsection (k) to read as  
16 follows:

17 “(k)(1) Notwithstanding any other provision of this act, all correspondence, notices,  
18 determinations, or decisions required for the administration of this act may be transmitted to  
19 claimants, employers, or necessary parties by electronic mail or other means of communication  
20 as the claimant, employer, or necessary party may select from the alternative methods of  
21 communication approved by the Director. The Director shall issue a list of such approved  
22 methods of communication within 45 days of the effective date of this act

23 “(2) Notwithstanding any other provision of this act, all correspondence, notices,  
24 determinations, or decisions issued by the Director may be signed by an electronic signature that  
25 complies with the requirements of section 3502(b) of the Fiscal Year 2002 Budget Support Act  
26 of 2001, effective October 3, 2001 (D.C. Law 14-028; D.C. Official Code § 28-4917), and  
27 Mayor’s Order 2009-118, issued June 25, 2009.”.

1           **SUBTITLE C. ECONOMIC DEVELOPMENT SPECIAL ACCOUNT REVIVAL**  
2 **AMENDMENT ACT**

3           Sec. 2021. Short title.

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

6           Sec. 2022. The National Capital Revitalization Corporation and Anacostia Waterfront  
7 Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C.  
8 Official Code § 2-1225.21), is amended as follows:

9           (a) Section 102(g)(3) (D.C. Official Code § 2-1225.02(g)(3)) is amended by striking the  
10 phrase “General Fund of the District of Columbia” and inserting the phrase “Economic  
11 Development Special Account established by section 301” in its place.

12           (b) Section 301 (D.C. Official Code § 2-1225.02) is revived as of September 14, 2011,  
13 and amended to read as follows:

14           “Sec. 301. Economic Development Special Account.

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

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

18                       “(A) All operating funds transferred from the Anacostia Waterfront  
19 Corporation Enterprise Fund, established by section 114 of the Anacostia Waterfront  
20 Corporation Act of 2004, effective December 7, 2004 (D.C. Law 15-219; D.C. Official Code §2-  
21 1223.14);

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

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

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

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

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

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

9                   “(3) The funds deposited into the Account shall not revert to the unrestricted fund  
10 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
11 other time, but shall be continually available for the uses and purposes set forth in subsections (c)  
12 and (d) of this section, subject to authorization by Congress.

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

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

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

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

1                   “(3) Support the development of a workforce intermediary pursuant to section  
2 403; or

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

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

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

16                   Sec. 2023. Section 9027(b) of the Fiscal Year 2012 Budget Support Act of 2011,  
17 effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6225), is repealed as of September 14,  
18 2011.

19                   **SUBTITLE D. DEPUTY MAYOR FOR PLANNING AND ECONOMIC**  
20 **DEVELOPMENT LIMITED GRANT MAKING AUTHORITY**

21                   Sec. 2031. Short title.

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

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

26                   (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 is authorized to  
4 make grants for fiscal year 2013, the following amounts are authorized:

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

9 Sec. 2034. The Deputy Mayor for Planning and Economic Development shall have  
10 grant-making authority in fiscal year 2013 of up to \$700,000 for the purpose of providing interior  
11 tenant improvement assistance to an entity that agrees to operate a table service restaurant at  
12 3220 Pennsylvania Ave S.E., also commonly known as the Penn Branch Shopping Center.

13 Sec. 2035. The Deputy Mayor for Planning and Economic Development shall have grant-  
14 making authority of \$800,000 for the purpose of providing assistance to a mixed use  
15 development located in Ward 7 including 100% affordable housing units supporting former  
16 Lincoln Heights residents.

17 Sec. 2036. The Deputy Mayor for Planning and Economic Development shall have  
18 grant-making authority for the purposes set forth in section 2037(c) of this subtitle.

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

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

- 23 (A) Federal funds, if any; and
- 24 (B) Gifts, grants, and donations.

25 (2) All funds deposited into the Fund shall not revert to the unrestricted fund  
26 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any



1 other time, but shall be continually available for the uses and purposes set forth in subsection (c)  
2 of this section without regard to fiscal year limitation, subject to authorization by Congress.

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

5 **SUBTITLE E. INAUGURAL CELEBRATION AND HOLIDAY EXTENSION OF**  
6 **HOURS ACT**

7 Sec. 2041. Short title.

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

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

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

13 “§ 25-723. Hours of sale and service for on-premises retail licensees and temporary  
14 licensees.

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

18 “(b) Except as provided in § 25-724, the licensee under a on-premises retailer’s license or  
19 a temporary license may sell or serve alcoholic beverages on any day and at any time except  
20 between the following hours:

21 “(1) 2:00 a.m. and 8:00 a.m., Monday through Friday, excluding District and  
22 federal holidays; and

23 “(2) 3:00 a.m. and 8:00 a.m. on Saturday and Sunday, excluding District and  
24 federal holidays.

25 “(c)(1) Except as provided in § 25-724, the licensee under an on-premises retailer’s  
26 license or a temporary license may sell or serve alcoholic beverages until 4:00 a.m. and operate  
27 24 hours a day during the following times:

1                   “(A) On a District or federal holiday;  
2                   “(B) The Saturday and Sunday preceding Memorial Day and Labor Day,  
3 as set forth in section 1202(a) of the District of Columbia Comprehensive Merit Personnel Act of  
4 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-612.02(a)); and  
5                   “(C) The Saturday and Sunday adjacent to New Year’s Day and  
6 Independence Day; except, that if the holiday under this subparagraph occurs between Tuesday  
7 and Thursday, this subparagraph shall not apply.”.

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

11                  “(d)(1) During the beginning of daylight savings time pursuant to § 28-2711, on the  
12 second Sunday in March of each year, a licensee under an on-premises retailer’s license may sell  
13 and serve alcoholic beverages between 3:00 a.m. and 4:00 a.m., if the licensee:

14                   “(A) Registers with the Board;  
15                   “(B) Pays a registration fee of \$200; and  
16                   “(C) Provides written notification, no later than 10 days before the  
17 beginning of daylight savings time, to the Board and the Metropolitan Police Department of its  
18 extended hours of operation.

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

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

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

1                   “(A) Provides written notification and a public safety plan, no later than  
2 January 7, to the Alcoholic Beverage Control Board and Metropolitan Police Department of its  
3 hours of operation; and

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

6                                 “(i) \$250 for a CN licensee;

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

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

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

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

13                   “(d) The Chief of Police may, without a hearing, summarily revoke, suspend, or restrict a  
14 licensee’s privilege to extended hours of operation under subsection § 25-723(c), (d), and (e) if  
15 the licensee’s operation presents a demonstrated danger to the health, safety, or welfare of the  
16 public. A licensee may seek review of the summary revocation, suspension, or restriction  
17 pursuant to § 25-827(c) and (d).”.

18                   **SUBTITLE F. OFF-PREMISES ALCOHOL**

19                   Sec. 2051. Short title.

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

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

23                   (a) Subsection (a) is as follows:

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

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

27                   (b) Subsection (b) is as follows:

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

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

4 **SUBTITLE G. GASOLINE AND FUEL PUMP OCTANE MEASUREMENT**  
5 **AMENDMENT ACT**

6 Sec. 2061. Short title.

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

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

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

14 “(a) The Director shall:

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

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

19 “(3) Maintain records of all inspections;

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

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

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

1           “(c) If the Director determines that an automotive fuel sample does not conform with the  
2 standards set out by this act and rules promulgated thereunder, the Director may take any or all  
3 of the following actions to prohibit the sale of the nonconforming automotive fuel or to prohibit  
4 the use of the nonconforming dispensing system, storage tank, or other dispensing device:

5                   “(1) Condemn and mark as condemned the dispensing system, storage tank, or  
6 other dispensing device from which the sample was obtained or on which the nonconforming  
7 label is attached;

8                   “(2) Seal and mark as sealed the storage tanks from which the sample was drawn  
9 or the nonconforming label attached; or

10                   “(3) Issue civil infractions under the Department of Consumer and Regulatory  
11 Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official  
12 Code § 2-1801 *et seq.*).

13           “(d) If the Director condemns the dispensing system, storage tank, or other dispensing  
14 device, the Director may immediately seize and seal, in order to prevent further sales, any  
15 dispensing system, storage tank, or other dispensing device from which automotive fuel is sold  
16 or offered for sale in violation of this act or rules promulgated thereunder. No automotive fuel  
17 may be sold or offered for sale unless approved by the Director. The Director shall post, in a  
18 conspicuous place on the premises where a dispensing system, storage tank, or other dispensing  
19 device has been condemned, a notice stating that the condemnation has taken place, the grounds  
20 for the condemnation, and warning that it shall be unlawful to break, mutilate, or destroy any  
21 notice, seal, or order issued by the Director regarding the condemnation. The notice required  
22 under this subsection shall remain posted until the Director has reinspected the condemned  
23 dispensing system, storage tank, or other dispensing device and determined it to be in  
24 compliance.

25           “(e) The Director may assess a civil penalty of not more than \$5,000 upon a retailer who  
26 sells or offers for sale automotive fuel from any dispensing system, storage tank, or other

1 dispensing device which has not been labeled in accordance with the provisions of this act or  
2 rules promulgated thereunder.

3 “(f) The Director may assess a civil penalty of not more than \$5,000 upon a retailer who  
4 allows any person, other than a person designated by the Director, to break, mutilate, or destroy  
5 any notice, seal or order issued by the Director and placed upon a dispensing system, storage  
6 tank, or other dispensing device used to deliver or store automotive fuel.

7 “(g) The Director may assess a civil penalty of not more than \$20,000 upon a retailer who  
8 sells or offers to sell automotive fuel from any dispensing system, storage tank, or other  
9 dispensing device that has been condemned by the Director.

10 “(h) In addition to civil penalties assessed in accordance with this act, the Director may  
11 suspend a retailer’s business license for up to 90 days after the retailer’s third violation of this  
12 act.”.

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

14 Sec. 2071. Short title.

15 This subtitle may be cited as the “Rent Supplement Prioritization and Funding Act of  
16 2012”.

17 Sec. 2072. Section 3(b) of the Housing Production Trust Fund Act of 1988, effective  
18 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)), is amended by adding a  
19 new paragraph (12) to read as follows:

20 “(12)(A) Notwithstanding section 3 this act (D.C. Official Code § 42-2802), the  
21 Mayor may transfer an amount not to exceed \$19,969,048 million of the funds designated for  
22 deposit into the Rent Supplement Fund, as established in section 26a of this act, effective May 9,  
23 2000 (D.C. Law 13-105;D.C. Official Code § 6-226), towards existing project-based and  
24 sponsor-based voucher assistance, as described in section 26b (D.C. Official Code § 6-227) of  
25 this act, tenant-based assistance, as described in section 26c (D.C. Official Code § 6-228) of this  
26 act, and capital-based assistance, as described in section 26d (D.C. Official Code § 6-229) of this

1 act and awarded under the Rent Supplement Program, as established in section 26a (D.C.  
2 Official Code § 6-226) of this act in or before FY 2010.

3 “(B) None of the funds transferred to the Rental Assistance Support and  
4 Rent Supplement Fund, pursuant to subsection (a) of this section, shall be used for administrative  
5 fees.”.

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

7 Sec. 2081. Short title.

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

10 Sec. 2082. Quarterly outcomes report

11 (a) Beginning on February 15, 2013 the Department of Employment Services  
12 (“Department”) shall transmit to the Council on a quarterly basis, and make available on the  
13 Department’s website, a report on the outcomes associated with all local funding administered by  
14 the Department for job training or adult education purposes. The report shall include the  
15 following outcome measures for job training or adult education participants broken out by job  
16 training program and/or vendor:

17 (1) The amount of funding the program or vendor, or both the program and the  
18 vendor, received;

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

20 (3) The Classification of Instructional Programs (CIP) codes for which they were  
21 trained;

22 (4) The number and percentage of those who were referred to the job training  
23 program or vendor that completed the job training or adult education program;

24 (5) The number and percentage of those who completed the job training or adult  
25 education program that earned a GED, high school diploma, or a noncredit or credit-bearing  
26 certificate or degree offered by licensed post-secondary education and training programs or  
27 vendors;

1 (6) Among program participants who were unemployed at the start of the  
2 program, the number and percentage of participants who completed the job training or adult  
3 education program that found employment within six months of graduation;

4 (7) Among program participants who found employment within six months of  
5 graduation, the average wage earned; and

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

9 (b) The report shall also include the following outcome measures for subsidized  
10 employment programs including the Transitional Employment Program (“TEP”):

11 (1) The number of individuals participating, by month;

12 (2) The number of private sector employers that hosted a participant;

13 (3) The number and percentage of participating residents who receive wages from  
14 their employer in addition to their subsidized wage and the average amount of the additional  
15 wages;

16 (4) The average length of placements in the subsidized jobs;

17 (5) The number and percentage of participants who have been hired into  
18 unsubsidized jobs upon completion of the subsidized component of TEP or within six months of  
19 participating in the program, and the average wages of those hired; and

20 (6) Among program participants that found unsubsidized employment, the  
21 number and percentage of participants that retained unsubsidized employment for at least six  
22 months after their initial unsubsidized start date.

23 (c) The report shall also include the following outcome measures for training  
24 employment programs including the On the Job Training program:

25 (1) The number of individuals participating, by month;

26 (2) The number of private sector employers that hosted a participant;



1 (3) The average and median wages paid to participants that are then reimbursed to  
2 the employer by the Department,

3 (4) Average amount and percentage paid of wage reimbursement per participant;

4 (5) Average duration of time participants spend in the training component of  
5 program; and

6 (6) The number and percentage of participants who retain employment for an  
7 additional six months beyond the completion of the training at the same wages and benefits as  
8 those in comparable positions that are not associated with the program.

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

10 Sec. 2091. Short Title

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

13 Sec. 2092. Definitions.

14 For the purposes of this act, the term:

15 (1) “Affordable Housing Unit” means a unit of housing that is offered for rent or  
16 for sale for residential occupancy and as a result of a federal or District subsidy is made available  
17 and affordable to households whose income levels are less than or equal to 120% of AMI.

18 (2) “Area Median Income” means:

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

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

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

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

1 (E) For a household of more than 4 persons, the area median income for a  
2 household of 4 persons, increased by 10% for each household member exceeding 4 persons (e.g.,  
3 the area median income for a family of 5 shall be 110% of the area median income for a family  
4 of 4; the area median income for a household of 6 shall be 120% of the area median income for a  
5 family of 4).

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

8 (4) "Homeless" means:

9 (A) Lacking a fixed, regular residence that provides safe housing, and  
10 lacking the financial means to acquire such a residence immediately; or

11 (B) Having a primary nighttime residence that is:

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

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

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

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

20 Sec. 2093. Inventory tracking requirements.

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

26 (a) The total number of affordable housing units that remain under affordability  
27 restrictions administered by DHCD including:

- 1 (1) The number of units that are made affordable to low-income households;  
2 (2) The number of units that are made affordable to very low-income households;  
3 (3) The number of units that are made affordable to extremely low-income  
4 households;  
5 (4) The number of units that are made available for homeownership;  
6 (5) The number of units that are made available for rental; and  
7 (6) The number of affordable housing units that are specifically allocated for the  
8 following groups:

- 9 (A) Individuals diagnosed with HIV/AIDS;  
10 (B) Individuals diagnosed with a mental illness;  
11 (C) Individuals diagnosed as deaf or hearing impaired;  
12 (D) Individuals and families who are homeless;  
13 (E) Victims of domestic violence; and  
14 (F) Individuals diagnosed with a developmental disability.

15 (b) The number of low-income, very low-income, and extremely low-income households  
16 and individuals currently residing in the affordable housing units listed in subsection (a) of this  
17 section, including the breakdown for the groups listed in subsections (a)(6)(A) through (a)(6)(F)  
18 of this section.

19 (c) The number of affordable housing units that will exit affordability restrictions within  
20 the next 5 years, 10 years, 20 years, 30 years, or 40 years including a breakdown of their  
21 affordability levels and whether they are allocated for the groups listed in subsections (a)(6)(A)  
22 through (a)(6)(F) of this section.

23 (d) The number of affordable housing units in each ward of the city including a  
24 breakdown of their affordability levels and whether they are allocated for the groups listed in  
25 subsections (a)(6)(A) through (a)(6)(F) of this section.

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

27 Sec. 2101. Short title.

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

3 Sec. 2102. Women-Owned Business Expenditure Reports.

4 (a) The Mayor shall, by May 1, 2013, 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 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 shall be cited as “Distillery Manufacturer’s Tasting Permit and Consumer  
21 Sales Amendment 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) D.C. Official Code § 25-110(a)(1)(A)(ii) is amended by striking the phrase “of the  
25 United States for resale.” and inserting the phrase “of the United States for resale or to a  
26 consumer. The licensee may sell spirits to the consumer only in barrels and sealed bottles, which  
27 shall not be opened after sale or the contents consumed on the premises where sold.” in its place.

1 (b) D.C. Official Code §25-118 is amended as follows:

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

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

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

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

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

11 Sec. 2121. Short title.

12 This subtitle shall be cited as the “Film DC Economic Incentive Amendment Act of  
13 2012”.

14 Sec. 2122. Section 2c of the Film DC Economic Incentive Act of 2006, effective March  
15 3, 2010(D.C. Law 18-111; D.C. Official Code § 39-501.03), is amended as follows:

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

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

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

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

25 (2) Strike the phrase “ lighting, wardrobe, catering, lodging” and insert the phrase  
26 “lighting, wardrobe, catering, lodging, use of facilities or equipment, use of soundstages or

1 studios, location fees, and related services, excluding services provided by the District  
2 government, and materials,” in its place.

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

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

7 Sec. 2131. Short title.

8 This subtitle may be cited as the “Housing Production and Job Training Funding Act of  
9 2012”.

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

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

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

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

25 **SUBTITLE O. BID AMENDMENT.**

26 Sec. 2141. Short title.

1           This subtitle may be cited as the “Business Improvement Districts Amendment Act of  
2 2012”.

3           Sec. 2142. Section 21 of the Business Improvement Districts Act of 1996, effective May  
4 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.20), is amended as follows:

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

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

7           “(b) Notwithstanding subsection (a) of this section, beginning in fiscal year 2013, the  
8 Mayor shall not issue a grant using funds from the Commercial Revitalization Assistance Fund  
9 for the purpose of providing commercial revitalization services or clean team services, including  
10 ambassador services and the removal of trash, graffiti, illegal posters, and snow, within a  
11 geographic area that is subject to a BID.”.

12           Sec. 2143. Section 2376 of the Small, Local, and Disadvantaged Business Enterprise  
13 Development and Assistance Act of 2005, effective September 24, 2010 (D.C. Law 18-223; D.C.  
14 Official Code § 2-218.76), is amended by striking the phrase “commercial revitalization  
15 services” and inserting the phrase “commercial revitalization services; provided, that the Fund  
16 shall not be used to provide commercial Clean Team services within a geographic area that is  
17 subject to a Business Improvement District, as defined in section 3(7) of the Business  
18 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official  
19 Code § 2-1215.02(7)); that beginning in fiscal year 2013, the commercial Clean Team services  
20 shall include service in the vicinity of the intersection of Minnesota Avenue, S.E., and  
21 Pennsylvania Avenue, S.E” in its place.

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

23           Sec. 2151. Short title.

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

26           Sec. 2152. Pennsylvania Avenue, S.E., Retail Priority Area.

1 The Retail Incentive Act of 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 et  
2 seq.) is amended as follows:

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

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

5 “(10) “Retail Priority Area” means:

6 “(A) The Downtown Retail Priority Area;

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

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

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

11 “(8-A) “Pennsylvania Avenue, S.E., Retail Priority Area” means the record lots  
12 that front Pennsylvania Avenue, S.E., between Fairlawn Avenue, S.E., and Southern Avenue,  
13 S.E.”.

14 (b) Section 4 (D.C. Official Code § 2-1217.73) is amended as follows:

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

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

18 “(f) In addition to the other Retail Priority Areas approved pursuant to this section:

19 “(1) The Pennsylvania Avenue, S.E., Retail Priority Area is designated as a Retail  
20 Priority Area;

21 “(2) The issuance of Bonds with respect to the Pennsylvania Avenue, S.E., Retail  
22 Priority Area, not to exceed \$5 million, is approved;

23 “(3) The latest date for the issuance of such Bonds is September 30, 2015; and

24 “(4) The base year for the calculation of Available Sales Tax Revenues and  
25 Available Real Property Tax Revenues shall be the fiscal year beginning October 1, 2012.”.

26 (c) Section 5(a) (D.C. Official Code § 2-1217.74(a)) is amended by striking the phrase  
27 “Downtown Retail Priority Area,” and inserting the phrase “Downtown Retail Priority Area, or



1 upon the effective date of the Pennsylvania Avenue, S.E., Retail Priority Area Amendment Act  
2 of 2012, in the case of the Pennsylvania Avenue, S.E., Retail Priority Area,” in its place.

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

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

5 Sec. 3001. Short title.

6 This subtitle may be cited as the “Notice of Unclaimed Property Modernization Act of  
7 2012”.

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

12 “(a) With respect to all property (including money), except perishable property, animals,  
13 firearms and property of persons with mental illness, not otherwise disposed of in accordance  
14 with § 416 of An Act to amend section four hundred and sixteen of the Revised Statutes of the  
15 United States relating to the District of Columbia, approved May 29, 1896 (29 Stat. 191; D.C.  
16 Official Code § 5-119.09), that shall remain in the custody of the Property Clerk for not less than  
17 90 days without being claimed and repossessed, the Property Clerk shall:

18 “(1) Publish or cause to be published in a newspaper of general circulation in the  
19 District, once a week for two consecutive weeks:

20 “(A) Notice of the location where a full description of the property can be  
21 reviewed; and

22 “(B) Notice that if such property is not claimed by the rightful owner  
23 within 45 days from the date of first publication, title to the property shall revert to the finder of  
24 lost property after deduction for the expenses of custody and publication, or to the District in all  
25 other cases; and

26 “(2) Post or cause to be posted in the Metropolitan Police Department  
27 headquarters, where public notices are commonly or usually posted, a description of the

1 property, and a copy of the notice published in the newspaper of general circulation in the  
2 District, and shall make a record of the date when such publication and the posting of the notices  
3 are made; and

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

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

9 Sec. 3011. Short title.

10 This subtitle may be cited as the “OAG Contingency Fee Contract Authorization Act of  
11 2012”.

12 Sec. 3012. The Attorney General for the District of Columbia Clarification and Elected  
13 Term Amendment Act of 2010, effective May 27, 2009 (D.C. Law 18-160; D.C. Official Code §  
14 1-301.81 *et seq.*), is amended by adding a new Section 106a to read as follows:

15 “Sec. 106a. Contingency fee contracts.

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

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

25 “(b) Notwithstanding any provision of federal or District of Columbia law, a contract  
26 entered into by the District of Columbia pursuant to this section may provide that costs,  
27 expenses, and fees that the private counsel charges for legal services are payable from the

1 amount recovered. In such circumstances, the costs, expenses, and fees need not be included in  
2 an amount provided in an appropriations law.”.

3 **SUBTITLE C. FIRE AND EMERGENCY MEDICAL SERVICES OVERTIME**  
4 **LIMITATION**

5 Sec. 3021. Short title.

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

8 Sec. 3022. Section 1103(f)of the District of Columbia Government Comprehensive  
9 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
10 611.03(f)), is amended as follows:

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

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

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

16 (2) A new subparagraph (C) is inserted to read as follows:

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

20 Sec. 3023. Section 2 of An Act To amend the Act entitled “An Act to classify the  
21 officers and members of the Fire Department of the District of Columbia, and for other  
22 purposes”, approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat.  
23 498; D.C. Official Code § 5-405), is amended as follows:

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

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

1           Sec. 3024. Section 202(c) of the Omnibus Public Safety Agency Reform Amendment  
2 Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-441(c)), is  
3 amended by striking the phrase “2011 and 2012” and inserting the phrase “2011, 2012, and  
4 2013” in its place.

5           **SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION**  
6 **MODIFICATION CLARIFICATION**

7           Sec. 3031. Short title.

8           This subtitle may be cited as the “Sentencing and Criminal Code Revision Modification  
9 Clarification Amendment Act”.

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

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

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

17          (b) Section 2a(b) (D.C. Official Code § 3-101.01(b)) is amended by striking the year  
18 “2014” and inserting the year “2016” in its place.

19           **SUBTITLE E. OFFICE OF UNIFIED COMMUNICATIONS E-911 FUND**  
20 **CLARIFICATION**

21          Sec. 3041. Short title.

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

24          Sec. 3042. The Fiscal Year 2001 Budget Support Act of 2000, effective October 19,  
25 2000 (D.C. Law 13-172; at scattered cites in the D.C. Official Code), is amended

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

27               (1) By striking the phrase “All monies deposited into the Fund shall not revert to  
28 the General Fund of the District of Columbia” and inserting the phrase “All monies deposited

1 into the Fund shall not revert to, nor be transferred to, the General Fund of the District of  
2 Columbia” in its place.

3 (2) By striking the phrase “The Fund shall be funded by a tax imposed under  
4 sections 604 and 604b” and inserting the phrase “The Fund shall be funded by a tax imposed  
5 under 604, 604a, and 604b” in its place.

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

7 “Sec. 604a. Additional revenues.

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

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

11 “(2) Aggregate revenues in excess of \$88.012 million received in any one fiscal  
12 year beginning on or after October 1, 2012 (except, that it shall be in excess of \$93.618 million  
13 received in fiscal year 2014) from fines paid due to automated photo enforcement.”.

14 Sec. 3043. Funds transfer.

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

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

22 Sec. 3044. Applicability.

23 Section 3042(a)(1) [amending section 603(a) of the Fiscal Year 2001 Budget Support Act  
24 of 2000] and section 3043 [amending section 802(a) of the Fiscal Year 2011 Supplemental  
25 Budget Support Act of 2010] shall apply as of October 1, 2011.

26 **SUBTITLE F. CANNABINOIDS.**

27 Sec. 3051. Short title.

1           This subtitle shall be cited as the “District of Columbia Uniform Controlled Substance  
2 Synthetic Cannabinoids Amendment Act of 2012”.

3           Sec. 3052. The District of Columbia Uniform Controlled Substances Act of 1981,  
4 effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.02 *et seq.*), is amended as  
5 follows:

6           (a) Section 102 (D.C. Official Code § 48-901.02) is amended by adding a new paragraph  
7 (32) to read as follows:

8                   “(32) “Synthetic cannabinoids” means any substance that contains one or more of  
9 the following, including any preparation, mixture, or substance containing, or mixed or infused  
10 with, any detectable amount of one or more of the following:

11                           “(A) 2-(3-hydroxycyclohexyl) phenol with substitution at the 5-position of  
12 the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any  
13 extent;

14                           “(B) 3-(1-naphthoyl)indole or 3-(1-naphthylmethane) indole by  
15 substitution at the nitrogen atom of the indole ring, whether or not further substituted on the  
16 indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any  
17 extent;

18                           “(C) 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the  
19 pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not  
20 substituted on the naphthoyl ring to any extent;

21                           “(D) 1-(1-naphthylmethylene) indene by substitution of the 3-position of  
22 the indene ring, whether or not further substituted in the indene ring to any extent, whether or not  
23 substituted on the naphthyl ring to any extent; or

24                           “(E) 3-phenylacetylindole or 3-benzoylindole by substitution at the  
25 nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any  
26 extent, whether or not substituted on the phenyl ring to any extent. The term synthetic  
27 cannabinoids includes:

1 “(i) 1-(5-fluoropentyl)-3-(2-iodobenzoyl) indole (AM694);  
2 “(ii) 1-(5-fluoropentyl)-3-(1-naphthoyl) indole (AM2201);  
3 “(iii) 1-(1, 1-dimethylheptyl)-2-[(1R, 3S)-3-hydroxycyclohexyl]-  
4 phenol (CP-47,497);  
5 “(iv) 5-(1, 1-dimethyloctyl)-2-[(1R, 3S)-3-hydroxycyclohexyl]-  
6 phenol (cannabicyclohexanol or CP-47,497 C8-homolog);  
7 “(v) 1-pentyl-3-(1-naphthoyl) indole (JWH-018 and AM678);  
8 “(vi) 1-hexyl-3-(1-naphthoyl) indole (JWH-019);  
9 “(vii) 1-butyl-3-(1-naphthoyl) indole (JWH-073);  
10 “(viii) 1-pentyl-3-[1-(4-methoxynaphthoyl)] indole (JWH-081);  
11 “(ix) 1-pentyl-3-(4-methyl-1-naphthoyl) indole (JWH-122);  
12 “(x) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole (JWH-  
13 200);  
14 “(xi) 1-pentyl-3-(2-chlorophenylacetyl) indole (JWH-203);  
15 “(xii) 1-pentyl-3-(2-methoxyphenylacetyl) indole (JWH-250);  
16 “(xiii) 1-pentyl-3-(4-chloro-1-naphthoyl) indole (JWH-398);  
17 “(xiv) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl) indole (SR-  
18 18 and RCS-8); and  
19 “(xv) 1-pentyl-3-[(4-methoxy)-benzoyl] indole (SR-19 and RCS-  
20 4).”.

21 (b) Section 208 (D.C. (D.C. Official Code § 48-902.08) is amended as follows:

- 22 (1) Paragraph 5(BB) is amended by striking the word “and” at the end.  
23 (2) Paragraph (6) is amended by striking the period and inserting the phrase “;  
24 and” in its place.  
25 (3) A new paragraph (7) is added to read as follows:

1 “(7) Notwithstanding section 207(2), unless specifically exempted or unless listed  
2 in another schedule, synthetic cannabinoids, whether known as K-2, synthetic marijuana, Spike  
3 99, or Spice, or any other name.”.

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

5 **SUBTITLE A. FUNDING FOR PUBLIC SCHOOLS AND PUBLIC CHARTER**  
6 **SCHOOLS**

7 4001. Short title.

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

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

13 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase  
14 “\$8,945 per student for fiscal year 2012” and inserting the phrase “\$9,124 per student for fiscal  
15 year 2013” in its place.

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

18

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

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

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

5 “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

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8 “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
“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

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“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
“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

1  
2 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated  
3 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. Notwithstanding any other provision of law, the District of Columbia Public Schools is authorized to 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.

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

Sec. 4011. Short title.

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

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

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

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

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

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

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

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

7           “(1A) Beginning on April 15<sup>th</sup>, 2013, the Department of General Services shall  
8 conduct an annual survey to update information on the enrollment, utilization, and condition of  
9 each public school facility and shall make the information available to the public on the Mayor’s  
10 website by December 1st of each year.”.

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

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

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

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

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

20           **SUBTITLE C. LIBRARY COLLECTIONS**

21           Sec. 4021. Short title.

22           This subtitle may be cited as the “Library Collections Account Amendment Act of 2012”.

23           Sec. 4022. An Act To establish and provide for the maintenance of a free public library  
24 and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official  
25 Code § 39-101 *et seq.*), is amended by adding a new section 14 to read as follows:

26           “Sec. 14. Library Collections Account.

1           “(a) There is established as a nonlapsing account the Library Collections Account  
2 (“Account”) into which shall be deposited:

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

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

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

6                   “(4) Such amounts as may be appropriated for the account.

7           “(b) The Account shall be used solely for the purpose of procuring materials, including  
8 books, CDs, electronic materials, or other records and materials, to maintain and enhance the  
9 collections of the District of Columbia Public Library.

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

15           **SUBTITLE D. UDC RIGHTSIZING**

16           Sec. 4031. Short title.

17           This subtitle may be cited as the “University of the District of Columbia Financial  
18 Solvency and Right-Sizing Plan Act of 2012”.

19           Sec. 4032. UDC Right Sizing Plan

20           (a) By October 1, 2012 the University of the District of Columbia (“University”) shall  
21 transmit to the Council a right-sizing plan that has been approved by the Board of Trustees and  
22 outlines the steps that the University shall take, starting in fiscal year 2013, to bring the  
23 University’s costs, staff, and faculty size in line with other comparable public universities. The  
24 University shall develop this plan in consultation with the Deputy Mayor for Education.  
25 Consistent with preserving and enhancing the mission of the University, the plan shall include  
26 the following components:

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

4 (2) An enrollment plan that lays out reasonable enrollment projections for the next  
5 5 years based on recent enrollment trends and includes an analysis of potential student demand  
6 for the flagship and community college;

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

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

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

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

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

20 Sec. 4033. For the purposes of developing the right-sizing plan required by this act, the  
21 University shall use, in consultation with the Board of Trustees, any remaining funding from the  
22 \$500,000 allocated to support the development of a transition plan for an independent  
23 community college pursuant to section 4704 of the Fiscal Year 2012 Budget Support Act of  
24 2011, effective September 14, 2011 (D.C. Law 19-021; 58 DCR 6226).

25 **SUBTITLE E. UDC COMMUNITY COLLEGE BRANCH STATUS**  
26 **APPLICATION.**

27 Sec. 4041. Short title.

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

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

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

9 (b) By October 1, 2012 the Chief Executive Officer of the University of the District of  
10 Columbia Community College shall report to directly the Board of Trustees, or a sub-committee  
11 of the Board of Trustees and shall have direct spending authority over the Community College  
12 budget, identified as Division (8000) in the University of the District of Columbia operating  
13 budget.

14 **SUBTITLE F. DISTRICT OF COLUMBIA SCHOOL REFORM AMENDMENT**

15 Sec. 4051. Short title.

16 This subtitle may be cited as the “District of Columbia School Reform Amendment Act  
17 of 2012”.

18 Sec. 4052. The District of Columbia School Reform Act of 1995, approved April 26,  
19 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), is amended by adding a new  
20 section 2214a to read as follows:

21 “Sec. 2214a. Charter schools admissions taskforce.

22 “(a) There is established a taskforce that shall study providing a neighborhood  
23 preference in charter school admissions for the 2013-2014 school year. The taskforce shall  
24 consist of:

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

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

27 “(B) Chairman of the Council of the District of Columbia;



1                   “(C) State Superintendent of Education;

2                   “(D) Deputy Mayor for Education; and

3                   “(E) Chancellor of the District of Columbia or her designee; and

4           “(2) The following nongovernment members:

5                   “(A) Two representatives from charter support organizations;

6                   “(B) A representative from the education department of a national

7 research organization;

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

9                   “(D) Two charter school leaders selected by the Public Charter School

10 Board Chair; and

11                   “(E) A labor representative.

12           “(b) The taskforce shall:

13                   “(1) Be chaired by the Chairman of the Public Charter School Board, or his or

14 her designee;

15                   “(2) Meet at an agreed to location as often as determined necessary by the

16 Chairman of the taskforce;

17                   “(3) Explore the feasibility of offering a neighborhood preference in charter

18 school admissions for the 2013-2014 school year; and

19                   “(4) By September 1, 2012, submit a report to the Council of its findings, which

20 shall include:

21                   “(A) Consideration of the various ways in which a neighborhood

22 preference can be designed, including:

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

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

25                           “(iii) A geographically limited preference; and

26                           “(iv) A preference based on rankings in a city-wide application

27 process;

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

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

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

6                   **SUBTITLE G. HEALTHY SCHOOLS AMENDMENTS**

7                   Sec. 4061. Short title.

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

9                   Sec. 4062. The Healthy Schools Act of 2010, effective October 20, 2011 (D.C. Law 19-  
10 37; D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

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

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

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

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

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

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

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

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

5 (b) Section 202(b)(1) (D.C. Official Code § 38-822.02(b)(1)) is amended as follows:

6 (1) Subparagraph (B) is amended by striking the phrase “Added trans fat” and  
7 inserting the phrase “Trans fat” in its place.

8 (2) Subparagraph (C)(iii) is amended by striking the phrase “August 1, 2020” and  
9 inserting the phrase “July 1, 2022” in its place.

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

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

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

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

18 (2) Paragraph (b)(1) is amended as follows:

19 (A) Strike the word “post” and insert the word “provide” in its place;

20 (B) Strike the period and insert the phrase “; and” in its place; and

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

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

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

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

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

27 (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 shall transmit to the Council and to  
5 the Healthy Schools and Youth Commission a comprehensive food services plan for the District  
6 that shall include the following:

7 “(1) A plan to reduce the cost of providing food services in the District of  
8 Columbia Public Schools, without reducing the quality, taste, or nutritional standards of the food  
9 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 this program;

13 “(C) Accounting of:

14 (i) The local funds subsidies (net losses) required by program for  
15 each year since FY 2007, including the total subsidy per year and the subsidy per meal served  
16 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 this program to become  
22 cost-neutral.

23 “(2) An analysis of the efficiencies and savings that could be gained by  
24 combining the food services programs in the Department of Corrections, Department of Human  
25 Services, Department of Mental Health, Department of Parks and Recreation, District of  
26 Columbia Public Schools, Office of Aging, and other agencies.

1                   “(3) An analysis of whether a centralized food services program could offer  
2 public charter schools the opportunity to purchase meals from it, instead of from a private  
3 vendor.

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

6                   “(b) The District of Columbia Public Schools, the Office of the State Superintendent of  
7 Education, the Department of General Services, the Mayor’s Budget Office, the Council’s  
8 Budget Office, the Office of the Chief Financial Officer, and the City Administrator shall assist  
9 the Office of Planning in preparing the plan required by subsection (a) of this section.”.

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

12                  (i) A new section 402a (to be codified at D.C. Official Code § 38-824.02a) is added to  
13 read as follows:

14                  “Sec. 402a. Interscholastic athletics plan.

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

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

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

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

24                         “(3) Whether District facilities may be better utilized to provide for interscholastic  
25 athletics;

26                         “(4) The effect that a robust athletics program on student health and community  
27 involvement.”.

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

2 (1) The lead in language of subsection (a) is amended by striking the phrase  
3 “Office of Public Education Facilities Modernization” and inserting the phrase “Department of  
4 General Services” in its place.

5 (A) Paragraph (8) is amended by striking the word “and”.

6 (B) Paragraph (9) is amended by striking the period and inserting the  
7 phrase “; and” in its place.

8 (C) A new paragraph (10) is added to read as follows:

9 “(10) Establish a composting program in District of Columbia Public Schools.”.

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

12 (3) Subsection (c) is amended by striking the phrase “December 31, 2010” and  
13 inserting the phrase “December 31, 2012” in its place.

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

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

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

20 (2) Subsection (c) is amended by striking the phrase “December 31, 2010” and  
21 inserting the phrase “December 31, 2012” in its place.

22 Sec. 4063. Applicability.

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

24 **SUBTITLE H. EDUCATION FUNDING EQUITY.**

25 Sec. 4071. Short title.

26 This subtitle may be cited as the “Education Funding Formula Equity Amendment Act of  
27 2012”.

1           Sec. 4072. Uniform Per Student Funding Formula Funding Equity.

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

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

7           Sec. 4081. Short title.

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

9           Sec. 4082. The Deputy Mayor for Education is authorized to provide a grant of up to  
10 \$500,000 in fiscal year 2013 to a high school chartered under the District of Columbia School  
11 Reform Act of 1995, effective April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01  
12 *et seq.*), that is co-located with a public high school that must relocate because of the renovation  
13 of the public high school.

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

15           **SUBTITLE A. DEPARTMENT OF MENTAL HEALTH ENTERPRISE FUND**  
16 **ESTABLISHMENT**

17           Sec. 5001. Short title.

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

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

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

24           “There is established within the General Fund of the District of Columbia a segregated,  
25 nonlapsing account designated the Department of Mental Health Enterprise Fund into which  
26 shall be deposited all fees, proceeds, and revenues collected from the activities and operations of  
27 a food cafeteria managed and operated by the Department to serve Department staff and patients

1 on the Saint Elizabeth’s Hospital campus, which funds shall be used only for the management  
2 and operation of the food cafeteria.”.

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 Department’s compliance with the exit criteria set forth in the  
21 *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 Elizabeth’s  
25 Hospital, including:

26 (A) Efforts undertaken during fiscal year 2012 to fill vacancies;

27 (B) A recruitment and retention plan for fiscal year 2013;



1 (C) Any barriers to filling the vacant positions; and  
2 (D) Any impact on the proposed fiscal year 2013 budget if the vacant  
3 positions are not filled.

4 (5) A report on the implementation Department of Mental Health Nurse Training  
5 Program, as established by the Department of Mental Health Nurse Training Program  
6 Amendment Act of 2012, passed on 1<sup>st</sup> reading on May 15, 2012 (D.C. Bill 19-743); and

7 (6) A report on the appropriate number of core service agencies to serve the  
8 population;

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

13 Sec. 5013. Department of Health reporting requirements.

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

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

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

- 21 (A) The amount of the carryover;
- 22 (B) A spending plan for the carryover and
- 23 (C) The employee responsible for the grant;

24 (3) An update on efforts to resolve any issues raised in the fiscal year 2010 single  
25 state audit, including any additional steps necessary to resolve the issue in fiscal year 2013  
26 related to the:

- 27 (A) Women, Infants, and Children program;

1 (B) Housing Opportunities for Persons with AIDS program;

2 (C) HIV emergency relief grants; and

3 (D) HIV Care Formula Grant.

4 (4) A report on the District's participation in the AIDS 2012 conference and  
5 action plans for fiscal year 2013 based on deliverables as identified during the conference;

6 (5) A report on the HIV/AIDS, Hepatitis, STD, and Tuberculosis  
7 Administration's compliance with the recommendations from the 2011 audit by the U.S.  
8 Department of Housing and Urban Development ("HUD") on the District's Housing  
9 Opportunities for Persons with AIDS program, which shall include the actions taken in fiscal  
10 year 2012 and plans for fiscal year 2013 to resolve all concerns outlined in the HUD audit,  
11 including those expressed in the findings;

12 (6) A report on action taken in fiscal year 2012 or planned for fiscal year 2013 to  
13 resolve any outstanding issues as identified by the U.S. Department of Health and Human  
14 Services, Health Resources Services Administration ("HRSA") surrounding the management of  
15 HRSA federal grant awards regarding HIV/AIDS;

16 (7) An update on efforts undertaken in fiscal year 2012 and planned for fiscal year  
17 2013 to train providers to appropriately bill Medicaid for substance-abuse services approved as  
18 part of the State Plan Amendment ("SPA"), approved in March 2012, including any barriers to  
19 the implementation of the SPA;

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

22 (9) A report on the DOH's efforts to fully implement the Health Care Facilities  
23 Improvement Amendment Act of 2010, effective April 29, 2010 (D.C. Law 18-145; 57 DCR  
24 1834), including a fiscal year action plan;

25 (10) A report on the implementation of the Medical Marijuana program, including  
26 the status of each cultivation center licensee and each dispensary licensee; and

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

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

4 By October 1, 2012, the Department of Health Care Finance (“Department”) shall submit  
5 to the Council:

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

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

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

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

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

23 (6) A report on the feasibility and structure for requiring Alliance beneficiaries to  
24 contribute toward their premium payments based on their income level; and

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

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

- 1 (B) The date, or anticipated date, of approval;
- 2 (C) A descriptive narrative of the changes outlined in the state plan
- 3 amendment; and
- 4 (D) An analysis of the impact of each state plan amendment on the fiscal
- 5 year 2013 Budget; and

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

8 Sec. 5015. Office of the Deputy Mayor for Health and Human Services reporting  
9 requirements.

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

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

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

17 (A) The rationale for the recommendation, including supporting data and  
18 information; and

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

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

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

1 (A) The rationale for the recommendation, including data and information;  
2 and

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

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

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

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

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

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

15 (7) A report on the feasibility of requiring all providers who receive a payment for  
16 health-care services to agree to the most favored nation status, which requires a provider to grant  
17 the District the lowest rate for a service that they accept from any other insurance carrier, which  
18 includes:

19 (A) A breakdown of adopting this policy for each of the agencies within  
20 the DMHHS cluster;

21 (B) Recommendations for implementing this requirement in fiscal year  
22 2013 and beyond; and

23 (C) Any savings associated with the adoption of this policy across the  
24 agencies.

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

26 By October 1, 2012, the Not-For-Profit Hospital Corporation shall submit to the Council  
27 a detailed work plan to implement a navigator program at the Not-For-Profit Hospital

1 Corporation to assist patients with diabetes, including those with co-occurring illnesses, in  
2 accessing appropriate treatment and care, which shall include:

- 3 (1) A scope of work for the program and each navigator;
- 4 (2) The goals for the program as a whole and for each navigator; and
- 5 (3) A detailed spending plan for fiscal year 2013.

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

7 Sec. 5021. Short Title.

8 This subtitle may be cited as the “Mosquito Control and Abatement Annual Plan Act of  
9 2012”.

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

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

- 15 (1) Determination of which wards are in greatest need of mosquito abatement;
- 16 (2) Plan of action to eliminate the habitats of immature mosquitoes and control  
17 immature or adult mosquitoes;
- 18 (3) Plan to ensure that eradication measures are not injurious to pets or wildlife;
- 19 and
- 20 (4) Delineation of the costs associated with the entire plan.

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

22 Sec. 5031. Short Title.

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

25 Sec. 5032. The Not-For-Profit Hospital Corporation Establishment Amendment Act of  
26 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.01 *et seq.*), is  
27 amended as follows:

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

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

6 “(1) Food;

7 “(2) Snacks;

8 “(3) Nonalcoholic beverages; and

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

10 (b) Section 5117 (D.C. Official Code § 44-951.06), is amended by adding a new  
11 paragraph (14A) to read as follows:

12 “(14A) Issue grants to promote healthcare programs, policies, and awareness.”.

13 **SUBTITLE E. SEH NURSE TRAINING PROGRAM**

14 Sec. 5041. Short Title.

15 This subtitle may be cited as the “Department of Mental Health Nurse Training Program  
16 Amendment Act of 2012”.

17 Sec. 5042. Department of Mental Health Nurse Training Program.

18 The Department of Mental Health Establishment Amendment Act of 2001, effective  
19 December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 et seq.), is amended as  
20 follows:

21 (a) Section 102 (D.C. Official Code § 7-1131.02) is amended as follows:

22 (1) A new paragraph (29B) is added to read as follows:

23 “(29B) “Program” means the nursing educational tuition assistance program for  
24 nurses employed by Saint Elizabeths Hospital established by section 115e.

25 (2) A new paragraph (31A) is added to read as follows:

1                   “(31A) “UDC” means the University of the District of Columbia.

2                   (b) A new section 115e is added to read as follows:

3                   “Sec. 115e. Department of Mental Health Nurse Training Program.

4                   “(a) There is established within the Department, in partnership with UDC, a nurse training  
5 program, which shall offer tuition reimbursement for courses at UDC for a licensed practical  
6 nurse employed by Saint Elizabeths Hospital to become a registered nurse or for a registered  
7 nurse employed by Saint Elizabeths Hospital to earn a Bachelor of Science in Nursing; provided,  
8 that the nurse earns at least a grade B and agrees, in writing, to continue to his or her  
9 employment at Saint Elizabeths Hospital for a minimum of 2 years.

10                  “(b) The Department shall:

11                         “(1) In partnership with UDC develop:

12                                 “(A) The Program; and

13                                 “(B) A course of study that accommodates the schedule of nurses  
14 employed full-time;

15                         “(2) Administer the Program;

16                         “(3) Subject to the availability of funds, establish the number, and amounts of,  
17 assistance that can be extended in any fiscal year;

18                         “(4) Develop a competitive application process for nurses at Saint Elizabeths  
19 Hospital to participate in the Program; and

20                         “(5) Provide remote access learning capacities at Saint Elizabeths Hospital, if  
21 feasible.”.

22



1           **SUBTITLE F. HEALTH NAVIGATOR COORDINATION PROGRAM**

2           Sec. 5051. Short Title.

3           This subtitle may be cited as the “Health Navigation Coordination Act of 2012”.

4           Sec. 5052. (a) By January 1, 2013, the Department of Health shall enter into a  
5 memorandum of understanding with the Not-For-Profit Hospital Corporation (“NPHC”) for the  
6 transfer of at least \$285,000 from the Diabetes Control Program within the Community Health  
7 Administration for the purpose of implementing a navigator program at the NPHC to assist  
8 patients with diabetes, including those with co-occurring illnesses, in accessing appropriate  
9 treatment and care.

10           (b) The completion of this memorandum of understanding shall be contingent upon the  
11 submission of a work plan for this funding to the Council and the Department of Health by  
12 October 1, 2012.

13           **SUBTITLE G. DHCF WAIVERS**

14           Sec. 5061. Short Title.

15           This subtitle may be cited as the “Department of Health Care Finance Waiver Act of  
16 2012”.

17           Sec. 5062. Enrollment Limits.

18           The Department of Health Care Finance:

19                   (1) Shall limit the enrollment of individuals in the Elderly and Persons with  
20 Physical Disabilities Waiver Program to 4,050 participants in fiscal year 2013; and

21                   (2) Is authorized to make application for any needed waiver amendments to  
22 effectuate this subtitle.

23           **SUBTITLE H. MENTAL HEALTH PSYCHIATRIC SERVICES**  
24 **REIMBURSEMENT**

25           Sec. 5071. Short Title.

26           This subtitle may be cited as the “Increased Funding for Reimbursements for Psychiatric  
27 Services Act of 2012”.

28           Sec. 5072. Increased Funding for Psychiatric Services.

1           Of the fiscal year 2013 funds allocated to the Department of Mental Health, up to  
2 \$500,000 shall be used to increase funding for reimbursements for psychiatric services for  
3 children and adults.

4           **SUBTITLE I. SAFE CHILDREN AND FAMILIES ENRICHMENT SERVICES**  
5 **TASK FORCE**

6           Sec. 5081. Short title.

7           This subtitle may be cited as the “Safe Children and Families Enrichment Services Task  
8 Force Establishment Act of 2012”.

9           Sec. 5082.

10          (a)(1) There is established the Safe Children and Families Enrichment Services Task  
11 Force (“Task Force”) which shall be composed of the following members:

12                           (A) Five members appointed by the Mayor; and

13                           (B) Five members appointed by the Council.

14          (2) All appoints shall be made within 30 days of the effective date of this section.

15          (b) Members of the Task Force shall represent the local philanthropic community,  
16 businesses, and community based stakeholders throughout the District.

17          (c) The members the Task Force shall elect one of its members as chairperson.

18          (d) Each member of the Task Force shall serve without compensation.

19          (e) The Task Force shall consider and present recommendations for providing improved  
20 effective services through a 501(c)(3) organization to District children, youth, and their families,  
21 including early childhood development opportunities, safe and enriching centers of learning in  
22 and out of school, and other training, recreational, and educational services.

23          (f) No later than 30 days before disbandment, the Task Force shall submit to the Mayor  
24 and the Council its findings and recommendations, including any proposed legislative changes  
25 and the estimated cost of the proposed legislation.

26          (g) The Task Force shall disband 6 months after the effective date of this section.

1           **SUBTITLE J. PARKS POLICY AND PROGRAMS DIVISION**

2           Sec. 5091. Short title.

3           This subtitle may be cited as the “Park Policy and Programs Division Amendment Act of  
4 2012”.

5           Sec. 5092. Park Policy and Programs Division establishment.

6           The Division of Park Services Act of 1988, effective March 16, 1988 (D.C. Law 7-209;  
7 D.C. Official Code § 10-166 *et seq.*), is amended by adding a new section 2a to read as follows:

8           “Sec. 2a. Park Policy and Programs Division.

9           “(a) There is established the Park Policy and Programs Division (“Division”) within the  
10 Department of Parks and Recreation. The purpose of the Division is to improve the parks and  
11 park programs to broaden the use and enjoyment of the parks to enhance the quality-of-life of  
12 residents of, and visitors to, the District.

13           “(b) The Division shall be administered by a Chief Park Policy and Programs Officer  
14 who shall:

15                   “(1) Have authority over its functions and personnel;

16                   “(2) Staff, as necessary, the programs and activities of the Division;”(3)

17 Establish a small parks improvement program, which shall:

18                   “(A) Categorize, prioritize, and develop systems, options, and processes  
19 for pocket-park improvements and long-term maintenance, including sustainability practices;

20                   “(B) In conjunction with the Partnerships and Development Divisions,  
21 develop partnerships with community-based organizations and Friends groups to assist in small  
22 parks improvements, programming, and maintenance;

23                   “(3) Establish a community gardens program, which shall:

24                   “(A) Support the Mayor’s Sustainable DC initiative to provide healthy,  
25 affordable food, by:

26                           “(i) Developing standards for community gardens;

1                   “(ii) Identifying suitable parcels of land for community gardens;  
2 and

3                   “(iii) Assisting community groups to implement community  
4 gardens; and

5                   “(B) Implement the Food Production and Urban Gardens Program Act of  
6 1986, effective Feb. 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*);

7                   “(5) In conjunction with the Operations Division, prioritize park improvement  
8 projects in the capital improvement program;

9                   “(6) In conjunction with the Office of Planning, coordinate the implementation of  
10 the District’s responsibilities regarding the park elements of the Capital Space Plan, as adopted  
11 by the National Capital Planning Commission on April 1, 2010;

12                   “(7) In conjunction with the Department of General Services, inventory all real  
13 property park assets under the control of the District; and

14                   “(8) Coordinate appropriate government agencies as needed.”.

15                   **SUBTITLE K. RESTORATION OF DC HEALTHCARE ALLIANCE.**

16                   Sec. 5101. Short title.

17                   This act shall be cited as the “Restoration of DC Healthcare Act of 2012”.

18                   Sec. 5102. Revenue from rebasing recognized.

19                   Any revenues collected during fiscal year 2012 as the result of the rebasing of District-  
20 owned nursing homes shall be deposited in the Healthy DC and Health Care Expansion Fund  
21 established by the Hospital and Medical Services Corporation Regulatory Act of 1996, effective  
22 April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3514.02), to fund the restoration of  
23 hospital-based services in the DC Health Care Alliance, established by the Healthy DC Act of  
24 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 4-631 *et seq.*), in fiscal  
25 year 2013.

26

1           **SUBTITLE L. HOUSING FOR HOMELESS FAMILIES ACT OF 2012**

2           Sec. 5111. Short title.

3           This subtitle may be cited as the “Housing for Homeless Families Act of 2012”.

4           Sec. 5112. Homeless Housing.

5           The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-  
6 35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8a to read as  
7 follows:

8           “Sec. 8a. Fiscal years 2012 and 2013 rapid re-housing.

9           “(a)(1) Beginning in June 2012, the Department shall move between 200 and 300  
10 homeless families from hotels or motels, temporary shelters, or severe weather shelters into  
11 appropriate permanent housing through rapid re-housing. No less than 200 of these families shall  
12 be moved prior to September 30, 2012.

13           “(2) Placements made by the Department pursuant to subsection (a) of this  
14 section shall be done in coordination with the District of Columbia Housing Authority  
15 (“DCHA”) and shall be made based on special eligibility criteria jointly established by the  
16 Department and DCHA. The special eligibility criteria shall be established and transmitted to the  
17 Council within 30 days of the effective date of this act.

18           “(3) Once there are vacancies in hotels or motels, temporary shelters, or severe  
19 weather shelters, the Department shall use all available resources to place new family-  
20 shelter applicants who cannot access other housing arrangements, as defined in section 7(c)(4)  
21 (D.C. Official Code § 4-753.01(c)(4)), into shelters or housing.

22           “(b) In Fiscal Year 2013, with the inclusion of an additional \$4,000,000 into the DCHA  
23 Subsidy, the families placed in housing pursuant to subsection (a) of this section shall be  
24 transferred to the Rent Supplement Program, established by section 26a of the District of  
25 Columbia Housing Authority Act, effective March 2, 2007(D.C. Law 13-105; D.C. § Official  
26 Code 6-226).”.

27

1           **SUBTITLE M. HEALTHCARE ALLIANCE PRESERVATION**

2           Sec. 5121. Short title.

3           This act shall be cited as the D.C. HealthCare Alliance Preservation Amendment Act of  
4 2012”.

5           Sec. 5122. Section 7(c) of the Health Care Privatization Amendment Act of 2001,  
6 effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405(c)), is amended as  
7 follows:

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

9           (b) The newly designated paragraph (1) is amended by striking the phrase “insurance  
10 laws, a health” and inserting the phrase “insurance laws and subject to paragraph (2) of this  
11 subsection, a health” in its place.

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

13           “(2) A contract between the District of Columbia and a health maintenance  
14 organization or a managed care organization that provides healthcare services to persons enrolled  
15 in the Alliance shall, for fiscal year 2013, include coverage for all services, including hospital-  
16 based services, being provided to Alliance enrollees as of January 1, 2012; provided, that for  
17 fiscal year 2013, the Department of Health Care Finance shall have the authority to exclude  
18 coverage for those hospital-based emergency services that are eligible for Medicaid  
19 reimbursement under 8 U.S.C. § 1611(b)(1)(A), 42 U.S.C. 1396b(v)(3), and 42 C.F.R.  
20 §440.255(c).”.

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

22           **SUBTITLE A. DEPARTMENT OF TRANSPORTATION PARKING METER**  
23 **PAY-BY-PHONE TRANSACTION FEE FUND AMENDMENT**

24           Sec. 6001 Short title.

25           This subtitle may be cited as the “Department of Transportation Parking Meter Pay-by-  
26 Phone Transaction Fee Fund Amendment Act of 2012”.

1           Sec. 6002. The Department of Transportation Establishment Act of 2002, effective May  
2 21, 2001 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a  
3 new section 9f to read as follows:

4           “Sec. 9f. The District Department of Transportation Parking Meter Pay-by-Phone  
5 Transaction Fee Fund.

6           “(a) There is established the District Department of Transportation Parking Meter Pay-  
7 by-Phone Transaction Fee Fund (“Fund”), which shall be administered by the Director of the  
8 District Department of Transportation and used by the District Department of Transportation to  
9 pay the vendor responsible for maintaining the parking meter pay-by-phone payment system.

10           “(b) Notwithstanding section 3(8) of the District of Columbia Motor Vehicle Parking  
11 Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-  
12 2603(8)), all transaction fees added to the parking meter fees imposed upon users who pay for  
13 parking with the pay-by-phone system shall be deposited into the Fund beginning October 1,  
14 2012.”.

15           Sec. 6003. Section 11 of An Act Making appropriations for the government of the  
16 District of Columbia and other activities chargeable in whole or in part against the revenues of  
17 such District for the fiscal year ending June 30, 1939, and for other purposes, approved April 4,  
18 1938 (52 Stat. 192; D.C. Official Code § 50-2633), is repealed.

19           Sec. 6004. Section 3(5) of the District of Columbia Motor Vehicle Parking Facility Act  
20 of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(5)), is amended  
21 by striking the phrase “, in addition to those mechanical parking meters and devices installed  
22 pursuant to the authority conferred on the said Mayor by § 50-2633,”.

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

24           Sec. 6011. Short title.

25           This subtitle may be cited as the “State Safety Oversight Agency Establishment Act of  
26 2012”.

1           Sec. 6012. An Act To classify the officers and members of the fire department of the  
2 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official  
3 Code § 5-401 *et seq.*) is amended as follows:

4           (a) Section 1 (D.C. Official Code § 5-401) is amended by adding a new subsection (c) to  
5 read as follows:

6           “(c) The Department shall provide oversight to ensure the safety and security of streetcar  
7 operations in the District of Columbia as provided in section 3b.”

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

9           “Sec. 3b. State Safety Oversight Agency for DC Streetcar.

10          “(a) The Fire and Emergency Medical Services Department (“Department”) is designated  
11 as the state safety oversight agency, as required by 49 C.F.R. 659.9, and shall require, review,  
12 approve, and monitor the safety program for the DC Streetcar, established pursuant to section  
13 5(2)(E) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002  
14 (D.C. Law 14-137; D.C. Official Code § 50-921.04(2)(E).

15          “(b) The Fire Chief shall issue rules, in accordance with Federal Transit Administration  
16 requirements listed in 49 C.F.R. 659, to implement the provisions of the State Safety Oversight  
17 Agency Establishment Act of 2012.”.

18           **SUBTITLE C. DISTRICT DEPARTMENT OF TRANSPORTATION OMNIBUS**

19           Sec. 6021. Short title.

20           This subtitle may be cited as the “District Department of Transportation Omnibus  
21 Amendment Act of 2012”.

22           Sec. 6022. Section 3(6)(B) of the District of Columbia Administrative Procedures Act,  
23 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code 2-502), is amended as follows:

24           (a) Sub-subparagraph (i) is amended by striking the semicolon and inserting the phrase  
25 “and are posted on the website of the District Department of Transportation;” in its place.



1 (b) Sub-subparagraph (iv) is amended by striking the phrase “provided with 30-days  
2 written notice” and inserting the phrase “provided with 30-days written notice via electronic  
3 delivery” in its place.

4 Sec. 6023. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997  
5 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et seq.*), is amended as follows:

6 (a) A new paragraph (2A) is added to Section 102(d) (D.C. Official Code § 9-111.01(d))  
7 to read as follows:

8 “(2A) As of October 1, 2011, all monies in the Fund designated to comply with  
9 the requirements of section 3 of the District of Columbia Emergency Highway Relief Act,  
10 approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02), shall not exceed 22%  
11 of the proposed annual federal-aid highway project expenditures.”.

12 (b) Section 102a (D.C. Official Code § 9-111.01a) is amended as follows:

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

14 “(a)(4) As of October 1, 2011, all revenue derived from public rights-of-way user fees,  
15 charges, and penalties collected under authority of the Fiscal Year 1997 Budget Support Act of  
16 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.01 *et seq.*), and  
17 regulations promulgated pursuant thereto in Chapter 33 of Title 24 of the District of Columbia  
18 Municipal Regulations (24 DCMR § 33), as now existing or as hereafter amended; provided, that  
19 for fiscal year 2013, the first \$2,600,000 collected shall be deposited into the General Fund.”.

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

21 “(c-1) As of October 1, 2011, revenue derived and collected pursuant to subsection (a)(4)  
22 of this section may be transferred annually to the District of Columbia Highway Trust Fund, but  
23 in no event shall all local monies in the fund designated to comply with the requirements of  
24 section 3 of the District of Columbia Emergency Highway Relief Act, approved August 4, 1995  
25 (109 Stat. 257; D.C. Official Code § 9-109.02), exceed 22% of the proposed annual federal-aid  
26 highway project expenditures.”.

27 (c) A new section 102c is added to read as follows:

1 “Sec. 102c. Cost Transfer Projects.

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

3 “(1) “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 “(2) “Indirect cost rate” means a method for determining in a reasonable manner  
6 the proportion of indirect costs each project should bear.

7 “(3) “Labor surcharges” means the cost of employee fringe benefits, worker  
8 compensation insurance, leave, and similar labor related costs.

9 “(4) “Additive rate” means the rate used to represent labor surcharges as a percent  
10 of direct labor costs.

11 “(b) There is established the following cost transfer projects within the District  
12 Department of Transportation capital budget, which shall be used to collect labor surcharges and  
13 indirect costs that are recoverable with federally approved indirect and additive rates:

14 “(1) A Labor Cost Transfer project, which shall collect indirect labor costs and  
15 labor surcharges that cannot be directly charged to capital projects due to federal and local  
16 regulation, but are eligible for indirect and additive rate recovery; and

17 “(2) An Administrative Cost Transfer project, which shall collect indirect material  
18 testing contract costs, Davis Bacon costs, the production costs of manuals and other  
19 administrative Federal Highway Administration support costs, as approved by the Chief  
20 Financial Officer of the District of Columbia, which are eligible for federal reimbursement.

21 “(c) The Labor Cost Transfer project shall not be authorized any funds from the budget.

22 “(d) The Administrative Cost Transfer project shall be allocated budget authority for  
23 contractual services.

24 “(e) All expenditures posted to the transfer projects during a fiscal year shall be  
25 reallocated to active projects based on approved indirect and additive rates, reallocated to the  
26 operating budget, or otherwise removed from the cost transfer projects by the end of that fiscal  
27 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 provides  
3 the current cost transfer project expenditure balances, lists the projects or accounts to which any  
4 transfer project expenditures have effectively been charged or moved, and identifies the amount  
5 charged or moved.”.

6 Sec. 6024. The Department of Transportation Establishment Act of 2002, effective May  
7 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

8 A new section 9g is added to read as follows:

9 “Sec. 9g. The District Department of Transportation Sustainable Transportation Fund.

10 “(a) There is established as a nonlapsing fund known as the Sustainable Transportation  
11 Fund (“Fund”), which shall be administered by the Director of the District Department of  
12 Transportation and shall be used by the District Department of Transportation on approved  
13 capital projects for bus operating enhancements including the following:

14 “(1) Unfunded recommendations in WMATA Bus Line Studies and WMATA  
15 Service Evaluations; and

16 “(2) Other investments determined by the Mayor to enhance bus transit  
17 operational efficiency and customer service within the District of Columbia.

18 ”(b) All funds deposited into the Fund, and any interest earned on those funds, shall not  
19 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end  
20 of a fiscal year, or at any other time, but shall be continually available for the uses and purposes  
21 set forth in subsection (a) of this section without regard to fiscal year limitation, subject to  
22 authorization by Congress.”.

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

24 “(3) Notwithstanding paragraph (1) of this subsection, the Director may issue sole  
25 source subgrants in excess of \$1 million dollars to the Union Station Redevelopment Corporation  
26 for the purpose of improving Union Station; provided, that the grants are federal grants and that  
27 the Union Station Redevelopment Corporation provides any necessary match.”.

1           Sec. 6025. Section 3 of the District of Columbia Motor Vehicle Parking Facility Act of  
2 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code §50-2603), is amended by  
3 adding a new paragraph (8) to read as follows:

4                   “(8)(A) The following amounts collected from the parking of vehicles where  
5 meters or devices are installed shall be dedicated to paying a portion of the District’s annual  
6 operating subsidies to the Washington Metropolitan Area Transit Authority:

7                               “(i) \$30,578,700 for fiscal year 2013;

8                               “(ii) \$30,578,700 for fiscal year 2014;

9                               “(iii) \$30,976,223 for fiscal year 2015; and

10                              “(iv) \$31,378,914 for fiscal year 2016 and each year thereafter.”.

11                   “(B) Pursuant to section 642(b) of the Fiscal Year 2013 Budget Support  
12 Act of 2012, one-half of the net revenue derived from any modifications to meter rates or meter  
13 hours within each performance parking zone shall be deposited in the Performance Parking  
14 Fund; provided, that the net revenue shall be the amount in excess of the revenue that would  
15 have been collected if the Mayor had kept the rates and hours in effect as of September 30, 2012.

16                   “(C) Other fees collected for the parking of vehicles where meters or  
17 devices are installed shall be dedicated to the Sustainable Transportation Fund established by  
18 section 624 of the Fiscal Year 2013 Budget Support Act of 2012.”.

19                   Sec. 6026. Applicability

20                   Section 6025 shall apply as of October 1, 2012.

21  
22                   **SUBTITLE D. WASHINGTON METROPOLITAN AREA TRANSIT**  
23 **AUTHORITY MEMORANDUM OF UNDERSTANDING ESTABLISHMENT**

24                   Sec. 6031. Short title.

25                   This subtitle may be cited as the “Washington Metropolitan Area Transit Authority  
26 Memorandum of Understanding Establishment Act of 2012”.

1           Sec. 6032. Section 1 of An Act To grant additional powers to the Commissioners of the  
2 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.  
3 Official Code § 1-301.01), is amended by adding a new subsection (j-1) to read as follows:

4           “(j-1) Placement of orders with the Washington Metropolitan Area Transit Authority.  
5 Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
6 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor, or his or her delegate, may  
7 contract with the Washington Metropolitan Area Transit Authority for materials, supplies,  
8 equipment, work, or services of any kind. Contracts executed pursuant to this subsection shall  
9 be considered obligations upon appropriations in the same manner as orders or contracts  
10 executed pursuant to subsections (j) or (k) of this section. For the purposes of this section, the  
11 District Department of Transportation shall be an authorized delegate.”.

12           **SUBTITLE E. PERFORMANCE PARKING ZONE EXPANSION**

13           Sec. 6041. Short title.

14           This subtitle may be cited as the “Performance Parking Zone Expansion Amendment Act  
15 of 2012”.

16           Sec. 6042. The Performance Parking Pilot Zone Act of 2008, effective November 25,  
17 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

18           (a) Section 2 (D.C. Official Code § 50-2531) is amended as follows:

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

20                           (A) Strike the phrase “a Performance Parking Pilot Program” and insert  
21 the phrase “Performance Parking Zones” in its place.

22                           (B) Strike the phrase “within and around established performance parking  
23 pilot zones” and insert the phrase “citywide” in its place.

24                   (2) Subsection (b) is amended by striking the phrase “performance parking pilot  
25 zone”.

26                   (3) Subsection (c) is amended by striking the phrase “Within each performance  
27 parking pilot zone, the Mayor shall” and insert the phrase “The Mayor may” in its place.

1 (4) 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 (5) 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 (6) 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 (7) Subsection (g) is amended by striking the word “pilot”.

11 (8) 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(a) (D.C. Official Code § 50-2531.01(a)) is amended as follows:

16 (1) Strike the sentence “All parking-meter revenue collected within the  
17 Performance Parking Pilot Zones shall be deposited in the Fund” and insert the sentence “One-  
18 half of the net revenue derived from any modifications to meter rates or meter hours within each  
19 performance parking zone shall be deposited in the Fund; provided, that the net revenue shall be  
20 the amount in excess of the revenue that would have been collected if the Mayor had kept the  
21 rates and hours in effect as of September 30, 2012.”

22 (2) Strike the phrase “continually available for”, and replace it with the phrase,  
23 “continually available for projects within the zone from which revenues were raised, for”.

24 (c) Section 3a(a) (D.C. Official Code §50-2532.01(a)) is amended to read as follows:

25 “(a) The H Street N.E. Performance Parking Pilot Zone is designated as the area within  
26 the following boundary: K Street, N.E., from 3rd Street, N.E. to 8th Street NE; 8th Street, N.E.,  
27 from K Street, N.E. to Florida Avenue, N.E.; Florida Avenue, N.E., from 8th Street, N.E. to 15th

1 Street, N.E.; 15th Street, N.E., from Florida Ave, N.E. to E Street, N.E.; E Street, N.E., from  
2 15th Street N.E. to 3rd Street, N.E.; 3rd Street, N.E., from E Street, N.E. to K Street, N.E.;  
3 including both sides of these boundary streets.”.

4 (d) Section 5 (D.C. Official Code § 50-2534) is amended as follows:

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

6 “(a) The Performance Parking Program Fund shall be used for non-automobile  
7 transportation investments in each zone. These investments shall supplement or substantially  
8 accelerate investments that would otherwise be made by the District.”.

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

10 “(c) DC Surface Transit, Inc. shall serve as an official advisory body to the District  
11 Department of Transportation for performance parking implementation within the Central  
12 Washington Area (as defined in 10 DCMR Chapter 16) except where the Central Washington  
13 Area overlaps with preexisting performance parking zones.”.

14 (e) Section 6 (D.C. Official Code § 50-2535) is amended as follows:

15 (1) The title is amended to read as follows:

16 “Sec. 6. Reporting requirements and oversight for each performance parking zone.”.

17 (2) Subsection (a) is amended by striking the word “pilot”.

18 (3) Subsection (b) is amended to read as follows:

19 “(b) At the request of any ANC or Ward Councilmember representing all or part of a  
20 performance parking zone, DDOT shall conduct public meetings to provide an update on parking  
21 management targets and an opportunity for public comment.”.

22 (4) Subsection (c) is repealed.

23 (5) Subsection (d) is amended to read as follows:

24 “(d) The Mayor shall provide quarterly reports to the Council and make such reports  
25 available on its website detailing the following information for each performance parking zone:

26 “(1) Quarterly revenue;

27 “(2) Quarterly revenue associated with performance parking meter pricing;

1 “(3) Quarterly expenditures on non-automobile transportation improvements; and

2 “(4) The balance of funds available for additional non-automobile transportation  
3 investments.”.

4 (6) Subsection (e) is repealed.

5 **SUBTITLE F. DISTRICT OF COLUMBIA TAXICAB COMMISSION FUND**

6 Sec. 6051. Short title.

7 This subtitle may be cited as the “District of Columbia Taxicab Commission Fund  
8 Amendment Act of 2012”.

9 Sec. 6052. Section 20a(a) of the District of Columbia Taxicab Commission  
10 Establishment Act of 1985, effective May 10, 1988 (D.C. Law 7-107; D.C. Official Code § 50-  
11 320(a)), is amended to read as follows:

12 “(a) There is established within the District of Columbia treasury a fiduciary fund known  
13 as the District of Columbia Taxicab Commission Fund (“Fund”). The Fund shall consist of:

14 “(1) All assessments levied by Commission against taxicab operators upon the  
15 issuance and renewal of a public vehicle operator’s identification license issued pursuant to  
16 section 47-2829(e) of the D.C. Official Code; and

17 “(2)(A) The proceeds of a fee or fees established by the Commission, by rule,  
18 which are estimated to aggregate at least \$1 million in fiscal year 2013, and each fiscal year  
19 thereafter; or

20 “(B) Any other amounts designated by law or reprogramming to be  
21 deposited into the Fund in an amount which is estimated to aggregate at least \$1 million in fiscal  
22 year 2013, and each fiscal year thereafter.”.

23 **SUBTITLE G. DDOT POLICY COMPENDIUM**

24 Sec. 6061. Short title.

25 This subtitle may be cited as the “District Department of Transportation Policy  
26 Compendium Act of 2012”.



1           Sec. 6062. Policy compendium.

2           (a) On or before September 30, 2013, the District Department of Transportation shall  
3 prepare a policy compendium listing all of the agency’s policies and procedures that affect the  
4 management of the transportation network and public space.

5           (b) The District Department of Transportation shall make the policy compendium  
6 available online.

7           Sec. 6063. Reports.

8           On or before October 1, 2012, January 1, 2013, April 1, 2013, and July 1, 2013, the  
9 District Department of Transportation shall submit a report to the Council on the status of the  
10 policy compendium, the progress made in the preceding quarter, and the projected timeline for  
11 completion.

12           **SUBTITLE H. HEALTHY AND EFFICIENT HOMES**

13           Sec. 6071. Short title.

14           This subtitle may be cited as the “Healthy and Efficient Homes Amendment Act of  
15 2012”.

16           Sec. 6072. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
17 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

18           (a) Paragraph (6) is amended by striking the phrase “and” after the semicolon at the end  
19 of the paragraph.

20           (b) Paragraph (7) is amended by the striking the period at the end of the paragraph and  
21 inserting the phrase “; and” in its place.

22           (c) By adding a new paragraph (8) to read as follows:

23           “(8) Weatherization, appliance replacement, and healthy homes programs for fiscal year  
24 2013 in the amount of \$2,000,000.”.

25           Sec. 6073. Applicability.

26           This subtitle shall apply as of October 1, 2012.

1           **SUBTITLE I. FOSTER YOUTH TRANSIT SUBSIDY**

2           Sec. 6081. Short title.

3           This subtitle may be cited as the “Transit Subsidy for Foster Youth Amendment Act of  
4 2012”.

5           Sec. 6082. Section 2(c)(4) of the School Transit Subsidy Act of 1978, effective March 3,  
6 1979 (D.C. Law 2-152; D.C. Official Code § 44-217(c)(4)), is amended by striking the  
7 semicolon and inserting the phrase “and for youth in the District’s foster care system until they  
8 reach 21 years of age;” in its place.

9   **TITLE VII. FINANCE AND REVENUE**

10           **SUBTITLE A. SUBJECT TO APPROPRIATIONS REPEALERS**

11           Sec. 7001. Short title.

12           This subtitle may be cited as the “Subject to Appropriations Repealers Amendment Act  
13 of 2012”.

14           Sec. 7002. Section 3 of the United House of Prayer for All People Real Property Tax  
15 Exemption Act of 2011, effective December 2, 2011 (D.C. Law 19-51; 58 DCR 8949), is  
16 repealed.

17           Sec. 7003. Section 4 of the Samuel J. Simmons NCBA Estates No. 1 Limited Partnership  
18 Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010, effective  
19 March 12, 2011 (D.C. Law 18-311; 57 DCR 12396), is repealed.

20           Sec. 7004. Section 601 of the South Capitol Street Memorial Amendment Act of 2012,  
21 signed by the Mayor on April 10, 2012 (Enrolled version of Bill 19-211; 59 DCR 3083), is  
22 amended to read as follows:

23           “Sec. 601. Applicability.

24           “Title I, Title III, amendatory section 115c of section 402(b) of Title IV, and section 502  
25 of Title V shall take effect upon the inclusion of its fiscal effect in an approved budget and  
26 financial plan.”.

1           Sec. 7005. Section 47-4605(d) is amended by creating a new paragraph (d)(3) to read as  
2 follows:

3           “(3) The real property tax exemption granted by paragraph (1) of this subsection shall  
4 apply to Square 5190, lots 806, 807, and 808, and Square 5348 lots 1, 2, 3, 4, 5, 6, 7, and 8 for  
5 the consecutive real property tax years beginning with Tax Year 2003.”.

6           Sec. 7006. Section 3 of the Washington Ballet Equitable Real Property Tax Relief Act of  
7 2011, effective January 12, 2012 (D.C. Law 19-077 § 3; 58 DCR \_\_), is repealed.

8           Sec. 7007. Section 3 of the Lottery Amendment Repeal Amendment Act of 2012  
9 effective May 23, 2012 (D.C. Act 19-322, 59 DCR 2254), is repealed.

10          Sec. 7008. Section 3 of the Community Council for the Homeless at Friendship Place  
11 Equitable Real Property Tax Relief Act of 2011, effective December 2, 2011 (D.C. Law 19-42,  
12 58 DCR 8926), is repealed.

13          Sec. 7009. Section 701 of the Raising the Expectation for Education Outcomes Omnibus  
14 Act of 2012, signed by the Mayor on April 20, 2012 (D.C. Act 19-345; 59 DCR 3642), is  
15 amended to read as follows:

16          “Sec. 701. Applicability.

17          “(a) This act shall apply through September 30, 2013.

18          “(b) Beginning on October 1, 2013, this act shall apply upon the inclusion of its fiscal  
19 effect in an approved budget and financial plan.”.

20          Sec. 7010. Section 3 of the Accountant Mobility Act of 2011, effective December 02,  
21 2011 (D.C. Law 19-43; 58 DCR 8929), is repealed.

22          Sec. 7011. Section 3 of the Corrections Information Council Amendment Act of 2010,  
23 effective October 2, 2010 (D.C. Law 18-0233; 57 DCR 4514), is repealed.

1           Sec. 7012. Section 3 of the District of Columbia Public Schools and Public Charter  
2 School Student Residency Fraud Prevention Amendment Act of 2012, signed by the Mayor on  
3 March 1, 2012 (D.C. Act 19-320; 59 DCR 1939), is repealed.

4           Sec. 7013. Section 3 of the Long-Term Care Ombudsman Program Amendment Act of  
5 2012, effective March 14, 2012 (D.C. Law 19-111; 59 DCR 455), is repealed.

6           **SUBTITLE B. TARGETED RETIREMENT DISTRIBUTION WITH HOLDING**

7           Sec. 7021. Short title.

8           This subtitle may be cited as the “Targeted Retirement Distribution Withholding Act of  
9 2012”.

10          Sec. 7022. Section 47-1812.08(m) of the District of Columbia Official Code is amended  
11 to read as follows:

12           “(m)(1) Except as provided in paragraph (2) of this subsection, if a resident payee  
13 receives a payment from a retirement plan or retirement account that is a lump-sum distribution,  
14 District income tax shall be withheld on the lump-sum distribution by the payor at the highest  
15 District individual income tax rate that is in effect at the time of the distribution.

16           “(2) Paragraph (1) of this subsection shall not apply to:

17                   “(A) Any portion of a lump-sum payment that was previously subject to  
18 tax;

19                   “(B) An eligible rollover distribution that is effected as a direct trustee to  
20 trustee transfer; or

21                   “(C) A rollover from an individual retirement account to a traditional or  
22 Roth individual retirement account that is effected as a direct trustee to trustee transfer.

23           “(3) For the purposes of this subsection, the term:

24                   “(A) “Lump-sum distribution” means a payment from a payor to a  
25 resident payee of the resident payee’s entire account balance, exclusive of any other tax  
26 withholding and any administrative charges and fees.

27                   “(B) “Retirement account” or “retirement plan” means:

- 1 “(i) A qualified employee plan;
- 2 “(ii) A qualified employee annuity plan;
- 3 “(iii) A defined contribution plan;
- 4 “(iv) A defined benefit plan;
- 5 “(v) A tax-sheltered annuity plan;
- 6 “(vi) An individual retirement account;
- 7 “(vii) Any combination of the plans and account listed in sub-
- 8 subparagraphs (i) through (vi) of this subparagraph; or
- 9 “(viii) Any similarly situated account or plan as defined by the
- 10 Internal Revenue Code of 1986.

11 “(4) This subsection shall apply within 5 days of the effective date of the  
12 Targeted Retirement Distribution Withholding Emergency Act of 2012, effective March 2, 2012  
13 (D.C. Act 19-316; 59 DCR 1709).”.

14 **SUBTITLE C. SUBSIDIZED NONPROFIT RENTAL UNIT FEE EXEMPTION**

15 Sec. 7031. Short title.

16 This subtitle may be cited as the “Subsidized Nonprofit Rental Unit Fee Exemption  
17 Amendment Act of 2012”.

18 Sec. 7031. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C.  
19 Law 6-10; D.C. Official Code § 42-3504.01), is amended by adding a new subsection (c) to read  
20 as follows:

21 “(c)(1) A nonprofit rental housing provider shall be exempt from the rental unit fee if the  
22 provider:

23 “(A) Establishes rent schedules for 440 or more subsidized housing units  
24 affordable to tenants from low-income, very-low income, or extremely low-income households,  
25 as these incomes are defined in section 2 of the Housing Production Trust Fund Act of 1988,  
26 effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801); and

1                   “(B) Does not receive subsidies, but whose income-restricted units would  
2 otherwise satisfy the eligibility requirements, under:

3                   “(i) The Housing Choice Voucher Program under section 8 of the  
4 United States Housing Act of 1936, approved September 1, 1937 (50 Stat. 888; 42 U.S.C. §  
5 1437(f)); or

6                   “(ii) The Low Income Housing Tax Credit under section 13142 of  
7 the Revenue Reconciliation Act of 1993, approved August 10, 1993 (107 Stat. 312; 26 U.S.C. §  
8 42)

9                   “(2) For the purpose of this section, the term “nonprofit rental housing provider”  
10 means an organization operating rental units or housing accommodations on a nonprofit basis  
11 under which no part of the net earnings of the housing provider inure to the benefit of or are  
12 distributable to its directors, officers, or any other private individual except as reasonable  
13 compensation for services rendered to the nonprofit housing provider.”.

14                   **SUBTITLE D. EMPLOYER USE TAX RETURN ACT**

15                   Sec. 7041. Short title.

16                   This subtitle may be cited as the “Employer Use Tax Return Act of 2012”.

17                   Sec. 7042. A new subsection (g) is added to Section 47-2211 of the District of Columbia  
18 Official Code to read as follows:

19                   “(g)(1) Beginning with the 12-month period ending September 30, 2012, any employer  
20 required to file a District of Columbia withholding tax return, who is not required to collect and  
21 remit sales tax, shall file an annual use tax return on or before October 20 of each year, in the  
22 manner prescribed by the Chief Financial Officer, remitting with the return the use taxes which  
23 are due.

24                   “(2) The Chief Financial Officer may permit or require the returns to be made for  
25 other periods and upon such other dates as he may specify; provided, that the gross receipts  
26 during any tax year shall be included in returns covering such year and no other.

1           **SUBTITLE E. OVERPAYMENT INTEREST RATE**

2           Sec. 7051. Short title.

3           This subtitle may be cited as the “Overpayment Interest Rate Act of 2012”.

4           Sec. 7052. Section 47-4202(c) of the District of Columbia Official Code is amended to  
5 read as follows:

6           “(c)(1) For overpayments on which interest is due on or before December 31, 2012, the  
7 overpayment rate is 6% per year simple interest.

8           “(2) For overpayments on which interest is due beginning January 1, 2013,  
9 the overpayment rate for each annual period shall be one percentage point above the Primary  
10 Credit Discount Rate for the Richmond Federal Reserve Bank as of the previous September 30,  
11 rounded to the nearest whole number but not exceeding 6% in the aggregate.”.

12           **SUBTITLE F. LOWER EFT PAYMENT**

13           Sec. 7061. Short title.

14           This subtitle may be cited as the “The Non-Individual Income Tax Electronic Filing  
15 Threshold Act of 2012”.

16           Sec. 7062. Section 47-4402(c) of the D.C. Official Code is amended by striking the  
17 figure “\$10,000” and inserting the figure “\$5,000” in its place.

18           **SUBTITLE G. HOMESTEAD DEDUCTION, PERSONAL EXEMPTION, AND**  
19 **STANDARD DEDUCTION**

20           Sec. 7071. Short title

21           This subtitle may be cited as the “Homestead Deduction, Personal Exemption, and  
22 Standard Deduction Act of 2012”.

23           Sec. 7072. Title 47 of the D.C. Official Code is amended as follows:

24           (a) The first sentence of § 47-802(14) is amended to read as follows:”The term “cost-of-  
25 living adjustment” for any real property tax year means an amount equal to the dollar amount of  
26 the homestead deduction provided in §§ 47-850(a) and 47-850.01(a) multiplied by the difference  
27 between the Consumer Price Index for the preceding real property tax year and the Consumer

1 Price Index for the real property tax year beginning October 1, 2010 divided by the Consumer  
2 Price Index for the real property tax year beginning October 1, 2010.”.

3 (b) Section 47-824(b)(3)(J)(i) and (ii) is amended to read as follows:

4 “(i) The current tax year’s taxable assessment (determined by  
5 taking into account the owner-occupant residential tax credit under § 47-864); and

6 “(ii) The estimate of the proposed taxable assessment for the tax  
7 year (determined by taking into account an estimate of the owner-occupant residential tax credit  
8 under § 47-864 by using the amount of the current tax year’s homestead deduction in lieu of the  
9 amount of the proposed tax year’s homestead deduction).”.

10 (c) § 47-1801.04(11)(A) is amended to read as follows:

11 “(11)(A) “Cost-of-living adjustment” means an amount, for any calendar year,  
12 equal to the dollar amount set forth in paragraph (44)(A) and (B)  
13 or § 47-1806.02(f)(1)(A) and (i) multiplied by the difference between the Consumer Price Index  
14 for the preceding calendar year and the Consumer Price Index for the calendar year beginning  
15 January 1, 2011 divided by the Consumer Price Index for the calendar year beginning January 1,  
16 2011.”.

17 **SUBTITLE H. DELINQUENT TAXPAYER REFUND OFFSET**

18 Sec. 7081. Short title.

19 This subtitle may be cited as the “The Taxpayer Refund Offset for Department of Motor  
20 Vehicle Liabilities Act of 2012”.

21 Sec. 7082. Section 47-4431(c) of the District of Columbia Official Code is amended as  
22 follows:

23 (a) Paragraph (2) is amended by striking the word “or”.

24 (b) Paragraph (3) is amended by striking the period at the end and adding the phrase “;  
25 or” in its place.

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



1           “(4) To owe delinquent taxes, fees, fines or other liabilities to the Department of  
2 Motor Vehicles.”.

3           **SUBTITLE I. COMMERCIAL PROPERTY TAX RATE AMENDMENT**

4           Sec. 7091. Short title.

5           This subtitle may be cited as the “Commercial Property Tax Rate Amendment Act of  
6 2012”.

7           Sec. 7092. Section 47-812(b-9) of the District of Columbia Official Code is amended as  
8 follows:

9           (a) Paragraph (1)(A) is amended by striking the phrase “\$1.65” and inserting the phrase  
10 “\$1.55” in its place.

11           (b) Paragraph (2)(A)(i) is amended by striking the phrase “beginning October 1, 2011,  
12 the tax rate shall be \$1.65” and inserting the phrase “beginning October 1, 2013, the tax rate shall  
13 be \$1.55” in its place.

14           Sec. 7093. This subtitle shall apply upon certification by the Office of the Chief  
15 Financial Officer that sufficient revenue is available in the 3 remaining 2012 revenue estimates  
16 to fund subsection (a)(1) through (12) as set forth in the Revised Revenue Estimate Contingency  
17 Priority List of 2012, passed on 1<sup>st</sup> reading on May 15, 2012 (Engrossed version of Bill 19-743).

18           **SUBTITLE J. COOPERATIVE HOUSING ASSOCIATION ECONOMIC**  
19 **INTEREST RECORDATION TAX**

20           Sec. 7101. Short title.

21           This subtitle may be cited as the “Cooperative Housing Association Economic Interest  
22 Recordation Tax Amendment Act of 2012”.

23           Sec. 7102. The District of Columbia Real Estate Deed Recordation Tax Act, approved  
24 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

25           (a) Section 302 (D.C. Official Code § 42-1102) is amended as follows:

26                   (1) Paragraph (16) is repealed as of October 1, 2009.

27                   (2) Paragraph (27) is amended by striking the word “and” at the end.

1 (3) Paragraph (28)(B)(ii)(II) is amended by striking the period and inserting a  
2 semicolon in its place.

3 (4) New paragraphs (29) and (30) are added to read as follows:

4 “(29) Beginning October 1, 2009, a security interest instrument pertaining to a  
5 cooperative housing association; and

6 “(30) Beginning October 1, 2009, a deed of economic interest pertaining to a  
7 limited-equity cooperative, as defined under D.C. Official Code § 47-802(11).”.

8 (b) Section 302b(c) (D.C. Official Code § 42-1102.02(c)) is amended to read as follows:

9 “(c)(1) Notwithstanding any other provision of this section, every transfer of an interest  
10 in a cooperative housing association in connection with the grant, transfer, or assignment of  
11 proprietary leasehold or other proprietary interest, in whole or in part, shall be a transfer of an  
12 economic interest.

13 “(2) This subsection shall apply as of October 1, 2009.”.

14 (c) Section 303 (D.C. Official Code § 42-1103) is amended as follows:

15 (1) Subsection (a)(2) is amended as follows:

16 (A) Strike the phrase “provided, that in the case of a transfer of shares”  
17 and insert the phrase “provided, that, beginning October 1, 2009, in the case of a transfer of an  
18 economic interest” in its place.

19 (B) Strike the phrase “, in whole or in part.”.

20 (2) Subsection (c) is amended by striking the period and inserting the phrase “;  
21 provided further, that, beginning October 1, 2009, in the case of a deed that evidences a transfer  
22 of an economic interest in a cooperative housing association, the cooperative housing association  
23 shall be jointly and severally liable with the parties to the deed for the payment of taxes imposed  
24 by this section regardless of whether the cooperative housing association itself is a party to the  
25 deed.” in its place.

26 **SUBTITLE K. ONLINE VENDORS REMITTANCE OF HOTEL TAXES**

27 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)(1)(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 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 purposes of this chapter and Chapter 22 of this title, a room remarketer shall be  
25 deemed a vendor with respect to additional charges and shall file returns and remit tax with  
26 respect to such additional charges. The room remarketer shall collect and remit the tax imposed  
27 by this chapter and Chapter 22 of this title with respect to the net charges for the

1 accommodations to the operator of the hotel, inn, tourist camp, tourist cabin, or any other place  
2 in which rooms, lodgings, or accommodations are regularly furnished to transients for a  
3 consideration. The operator shall be deemed a vendor with respect to such net charges and shall  
4 file returns and remit tax with respect to such net charges.”.

5 Sec. 7114. Section 47-2201(j) of the District of Columbia Official Code is amended to  
6 read as follows:

7 “(j) The definitions of “additional charges,” “business,” “District,” “food or drink,”  
8 “gross receipts,” “Mayor,” “net charges,” “person,” “purchaser’s certificate,” “retail  
9 establishment,” “return,” “room remarketer,” “sale” and “selling,” “sales price,” “semipublic  
10 institution,” “tangible personal property,” “tax,” “tax year,” “taxpayer,” and “transient” as  
11 defined in Chapter 20 of this title, are incorporated in and made applicable to this chapter.”.

12 **SUBTITLE L. RECORDATION TAX ON REFINANCES OF SECURITY**  
13 **INTEREST INSTRUMENTS**

14 Sec. 7121. Short title.

15 This subtitle may be cited as the “Recordation Tax on Refinances of Security Interest  
16 Instruments Clarification Act of 2012”.

17 Sec. 7122. Section 303(a) (D.C. Official Code § 42-1103(a)) of the District of Columbia  
18 Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101  
19 *et seq.*), is amended as follows:

20 (a) Add the phrase “(to complete the calculation of total recordation tax due at time of  
21 recording, see also additional tax in subsection (a-4))” after the phrase “taxed at the rate of 1.1%”  
22 wherever it appears.

23 (b) Paragraph (3) is amended to read as follows:

24 “(3)(A) Notwithstanding paragraph (1) of this subsection, at the time a security  
25 interest instrument is submitted for recordation, it shall be taxed at a rate of 1.1% (to complete  
26 the calculation of total recordation tax due at time of recording, see also additional tax in  
27 subsection (a-4)) of the total amount of debt incurred which is secured by the interest in real

1 property; provided, that if the existing debt is refinanced, the rate shall be applied only to the  
2 principal amount of the new debt in excess of the principal balance due on the existing debt to  
3 the extent that such existing debt (including any prior debt that was previously refinanced by the  
4 existing debt) was:

5 “(i) Previously taxable under this paragraph and the tax thereon  
6 was timely and properly paid; or

7 “(ii) Exempt under section 302 or not otherwise taxable, including  
8 purchase money mortgages described in section 302(5).

9 “(B) Any amendment, modification, or restatement of a security interest  
10 instrument shall be deemed a refinance of the entire, aggregate debt owed, unless the  
11 amendment, modification, or restatement is a supplemental deed. With such a deemed refinance,  
12 the rate in subparagraph (A) of this paragraph shall be applied only to the principal amount of the  
13 modified debt (including amounts paid to the borrower on the existing security interest  
14 instrument during the preceding 12 months) in excess of the principal balance due on the existing  
15 debt (before any such payment) to the extent that the existing debt (including any prior debt that  
16 was previously refinanced by the existing debt) was:

17 “(i) Previously taxable under this paragraph and the tax thereon  
18 was timely and properly paid; or

19 “(ii) Exempt under section 302 or not otherwise taxable including  
20 purchase money mortgages described in section 302(5).”.

21 Sec. 7123. Applicability.

22 Section 7122 shall apply beginning October 1, 2011.

23 **SUBTITLE M. NONPROFIT AFFORDABLE HOUSING DEVELOPER TAX**  
24 **RELIEF.**

25 Sec. 7131. Short title.

26 This subtitle may be cited as the “Nonprofit Affordable Housing Developer Tax Relief  
27 Act of 2012”.

1           Sec. 7132. Chapter 10 of Title 47 of the District of Columbia Official Code is amended  
2 as follows:

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

5           “47-1005.02. Nonprofit Affordable Housing Developer Tax Relief.”.

6           (b) A new section 47-1005.02 is added to read as follows:

7           “§ 47-1005.02. Nonprofit Affordable Housing Developer Tax Relief.

8           “(a)(1) Property providing extremely low- or very low-income housing, as defined by the  
9 U.S. Department of Housing and Urban Development, (“affordable housing”) that is owned by  
10 an organization that is not organized or operated for private gain, or that is owned by an entity  
11 controlled, directly or indirectly, by such an organization, shall be exempt from the taxation  
12 imposed by Chapters 8 and 9 of this title and the District of Columbia Deed Recordation Tax  
13 Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1101 *et seq.*), and from a  
14 payment in lieu of tax imposed under § 47-1002(20) during the time that the real property is  
15 being developed for the exempt purposes or continues to be used for affordable housing and is  
16 under applicable use restrictions during a federal low-income housing tax credit compliance  
17 period, including any extended use period, or similar federal or local program compliance period  
18 governing income and use restrictions.

19           “(2) The Mayor shall certify to the Office of Tax and Revenue each taxpayer and  
20 property eligible for an exemption. The certification shall identify:

21                   “(A) The property to which the certification applies by square and lot, or  
22 parcel or reservation number;

23                   “(B) The specific owner, including taxpayer identification number, that is  
24 eligible;

25                   “(C) The portion of the property that is eligible;

26                   “(D) The effective date of the exemption, which shall be the date on which  
27 the organization acquired the parcel, or October 1, 2012, whichever is later; and

1                   “(E) Any other information as the Office of Tax and Revenue shall require  
2 to administer the exemption.

3                   “(3) The Mayor shall notify the Office of Tax and Revenue if any taxpayer or property  
4 certified as eligible under paragraph (2) of this subsection becomes ineligible for the exemption  
5 under subsection (a) of this section. The notification shall identify:

6                                 “(A) The property to which the notice applies by square and lot or parcel  
7 or reservation number;

8                                 “(B) The owner, including taxpayer identification number;

9                                 “(C) The portion of the property ineligible;

10                                “(D) The date on which the taxpayer or property became ineligible; and

11                                “(E) Any other information as the Office of Tax and Revenue shall require  
12 to administer the termination of the exemption.

13                   “(4) The Office of Tax and Revenue shall administer the exemption provided  
14 under this section in the same manner as the exemptions provided under section 47-1002, and  
15 properties exempted under subsection (a) shall be subject to sections 47-1005, 47-1007 and 47-  
16 1009, except that an owner shall not be required to file an application with the Office of Tax and  
17 Revenue in order to qualify for an exemption.

18                   “(c) The grant of a tax exemption as provided in this section shall be in addition to, and  
19 not in lieu of, any other tax relief or assistance from any other source applicable to either the real  
20 property or its owner.

21                   “(d) This section shall apply for real property tax years beginning after September 30,  
22 2012.”.

23                   Sec. 7133. Section 302 of the District of Columbia Deed Recordation Tax Act, approved  
24 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended by adding a new  
25 paragraph (29) to read as follows:

26                                “(29) In accordance with the Low Income Housing Tax Credit Authority Act of  
27 2012, passed on 1st reading on May 15, 2012 (Engrossed version of Bill B19-743) (“TCAA”), a

1 deed to property that provides extremely low- or low-income housing that is exempt from  
2 property taxation pursuant to the TCAA.”.

3 **SUBTITLE N. GALLERY PLACE TIF REALLOCATION AND CONVENTION**  
4 **CENTER MARKETING FUND.**

5  
6 Sec. 7141. Short title.

7 This subtitle may be cited as the “Gallery Place Tax Increment Refinancing Allocation  
8 and Washington Convention Center Authority Marketing Fund Amendment Act of 2012”.

9 Sec. 7142. (a)(1) The Chief Financial Officer shall recognize the additional tax  
10 increment revenue above that which was needed for debt service for the Gallery Place Project  
11 Bonds, Series 2002 for the Gallery Place Project, as defined in section 2(a)(2) of the Gallery  
12 Place Economic Development Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-  
13 241; D.C. Official Code § 2-1217.31(a)(2)), as fiscal year 2013 local funds revenue.

14 (2) The funds recognized in paragraph (1) of this subsection shall be  
15 allocated to the Commission on Arts and Humanities on a one-time basis in fiscal year 2013.

16 (b)(1) The Chief Financial Officer shall recognize as local funds revenue in fiscal year  
17 2013, and each fiscal year thereafter, the revenue projected to be returned from the bond trustee  
18 under the indenture of the 2012 Gallery Place Project refinancing bonds.

19 (2) The funds recognized in paragraph (1) of this subsection shall be allocated as  
20 follows:

21 (A) The amount of \$800,000 to the Commission on Arts and Humanities ;

22 and

23 (B) The amount of \$3 million to the Washington Convention and Sports  
24 Authority Marketing Fund, pursuant to section 208a(h) of the Washington Convention Center



1 Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §  
2 10-1202.08a(h).

3 Sec. 7143. Section 208a of the Washington Convention Center Authority Act of 1994,  
4 effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08a), is amended  
5 by adding new subsections (h) and (i) to read as follows:

6 “(h) Beginning in fiscal year 2013 and each fiscal year thereafter, the Chief Financial  
7 Officer shall transfer \$ 3 million from the General Fund of the District of Columbia to  
8 supplement the Market Fund.

9 “(i)(1) In addition to any other limitation applicable under subsection (e)(1) of this  
10 section, funds transferred pursuant to subsection (h) of this section shall be limited to Destination  
11 DC-led advertising programs with the specific purpose to increase tourism and convention travel  
12 to the District of Columbia and further the purpose of the marketing service contracts entered  
13 into pursuant to subsection (e) of this section and used only for:

14 “(A) Targeted online advertising;

15 “(B) Search engine marketing;

16 “(C) Print media;

17 “(D) Broadcast media;

18 “(E) Social media marketing;

19 “(F) Outdoor media (billboards/signage);

20 “(G) Direct-to-consumer email campaigns; and

21 “(H) Pop-up experiential marketing opportunities.

1                   “(2) All uses of funds transferred pursuant to subsection (h) of this section  
2 shall be subject to mandatory return-on-investment analysis as determined by the Authority’s  
3 marketing service contract oversight functions.

4                   “(3) Any use of funds transferred pursuant to subsection (h) of this section  
5 that are used outside the scope and intent of subsection (i) of this section, as determined by the  
6 Authority pursuant to its marketing service contract oversight function, shall lead to automatic  
7 revocation of remaining funds transferred at the beginning of that fiscal year pursuant to  
8 subsection (h) of this section and revert back to the General Fund for the District of Columbia.”.

9                   **TITLE VIII. BUDGET SUPPORT ACT CONFORMING AND TECHNICAL**  
10                   **AMENDMENTS**

11                   **SUBTITLE A. PRIOR BUDGET SUPPORT ACT AMENDMENTS**

12                   Sec. 8001. Short title.

13                   This subtitle may be cited as the “Prior Budget Support Act Amendments Act of 2012”.

14                   Sec. 8002. The Fiscal Year 2012 Budget Support Act of 2011, effective September 14,  
15 2011 (D.C. Law 19-21; 58 DCR 6626), is amended as follows:

16                   (a) Section 9020 is repealed.

17                   (b) Section 9067 is amended by adding new subsection (c) is added to read as follows:

18                   “(c) Section 702 (D.C. Official Code § 48-907.02) is repealed.”.

19                   (c) Section 9073 is amended to read as follows:

20                   “Sec. 9073. Animal Control License Fees Fund.

21                   “Section 5 of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-  
22 30; D.C. Official Code § 8-1804), is amended as follows:

23                   “(1) A new subsection (e-1) is added to read as follows:

24                   ““(e-1) All the fees collected pursuant to subsection (e) of this section shall be deposited  
25 in the General Fund of the District of Columbia.”.

26                   “(2) Subsection (i) is repealed.”.

1 (d) Section 9099 is repealed.

2 (e) A new section 9109 is added to read as follows:

3 “Sec. 9109. Notwithstanding any other law, the funds which are deposited in the fund  
4 designated for accounting purposes by the Office of the Chief Financial Officer as fund 2531  
5 within the Metropolitan Police Department shall be deposited in the General Fund of the District  
6 of Columbia and shall not be accounted for by a separate fund or account within the General  
7 Fund of the District of Columbia. Any unexpended funds in the fund on the effective date of this  
8 subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of  
9 Columbia.”.

10 Sec. 8003. Section 47-392.02(f) of the District of Columbia Official Code is amended as  
11 follows:(a) Paragraph (2) is amended by striking the number “2013” and inserting the number  
12 “2016” in its place.

13 (b) Paragraph (3) is amended by striking the date “May 24, 2011” and inserting the date  
14 “May, 2015” in its place.

15 Sec. 8004. Section 6 of the Revised Fiscal Year 2012 Budget Support Technical  
16 Clarification Temporary Amendment Act of 2011, effective December 2, 2011 (D.C. Law 19-53;  
17 D.C. Official Code § 47-1806.03(a)(8)(A)), is amended by striking the phrase “\$400, plus 6% of  
18 the excess over \$40,000” and inserting the phrase “\$400, plus 6% of the excess over \$10,000” in  
19 its place.

20 Sec. 8005. (a) Section 47-1803.02(a) of the District of Columbia Official Code is  
21 amended as follows:

22 (1) Paragraph (1)(B) is amended to read as follows:

23 “(1)(B) For individuals, estates, and trusts, interest upon the obligations of a state,  
24 territory of the United States, or any political subdivision thereof, but not including the District,  
25 acquired by the taxpayer on or after January 1, 2012, shall be included in the computation of  
26 District gross income.”.

27 (2) Paragraph (1A) is repealed in its entirety.

1           Sec. 8006. Section 47-1806.03(a) of the District of Columbia Official Code is amended  
2 by adding a new paragraph (8) to read as follows:

3           “(8)(A) In the case of a taxable year beginning after December 31, 2011, there is  
4 imposed on the taxable income of every resident a tax determined in accordance with the  
5 following table:

6           “If the taxable income is: The tax is:

7           “Not over \$10,000..... 4% of the taxable income

8           “Over \$10,000 but not over \$40,000..... \$400, plus 6% of the excess over \$10,000.

9           “Over \$40,000 but not over \$350,000..... \$2,200, plus 8.5% of the excess over  
10 \$40,000

11           “Over \$350,000 ..... \$28,550, plus 8.95% of the excess above  
12 \$350,000.

13           “(B) This paragraph shall expire as of January 1, 2016.”.

14           **SUBTITLE B. FY 2013 O-TYPE REDESIGNATION**

15           Sec. 8011. Short title.

16           This subtitle may be cited as the “Fiscal Year 2013 O-Type Redesignation Act of 2012”.

17           Sec. 8012. O-Type Redesignation.

18           (a) Of the funds that were undesignated pursuant to section 10004 of the Fiscal Year  
19 2012 Budget Support Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR  
20 6226), \$29,709,447 shall be redesignated to accounts as set forth in the following table:

21  
22  
23

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	\$1,109,474
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	\$2,598,032
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
0611	DEPARTMENT OF EMPLOYMENT SERVICES	WORKERS' COMPENSATION ADMIN.	\$9,556,870
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
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	\$355,248
1240	MEDICAL LIABILITY CAPTIVE INS AGENCY	CAPTIVE INSURANCE FUND	\$66,502
		<b>Total:</b>	<b>\$29,707,447</b>

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(b) Of the funds not redesignated by subsection (a) of this section, the Chief Financial Officer shall recognize \$12,872,454 as fiscal year 2013 revenue.

**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 Act of 2012”.

Sec. 9002. Definitions.

For the purposes of this subtitle, the term:

(1) “CFO” means the Chief Financial Officer.

(2) “Director of Capital Programs” means the Director of Capital Programs within the Office of Budget and Planning of the Office of the Chief Financial Officer.

(3) “Local Streets Ward-Based Capital Projects” means the Department of Transportation’s 8 local streets ward-based capital projects (Project No. SR301-SR308), which endeavor to preserve, maintain, repair, or replace the District’s sidewalks, curbs and local roads.

(4) “Inactive” means that no nonpersonal service funds have been obligated or expended for a capital project during the preceding calendar months.

Sec. 9003. Criteria for closing capital projects.

1 (a) For any capital project funded from revenues in the Local Transportation Fund, the  
2 CFO, in consultation with the Mayor, may close the project if the project:

3 (1) Has obligated or expended funds in excess of its approved budget; or

4 (2) Has been inactive for 12 months or longer.

5 (b) For any capital project funded from revenues in the Highway Trust Fund, the CFO, in  
6 consultation with the Mayor and the Federal Highway Administration Division, may close the  
7 project if the project:

8 (1) Has been closed by the United States Department of Transportation;

9 (2) Has an open balance of:

10 (A) \$500,000 or more, and has been inactive for 12 months;

11 (B) Between \$50,000 and \$499,999, and has been inactive for 24 months;

12 (C) Less than \$50,000, and has been inactive for 36 months; or

13 (3) Has obligated or expended funds in excess of its approved budget.

14 (c) If a capital project has a budget allotment in excess of its budget authority, the CFO,  
15 in consultation with the Mayor, may adjust the allotment to match the correct budget authority.

16 (d) The CFO may delegate the authority granted to him or her by this section to the  
17 Director of Capital Programs.

18 Sec. 9004. Use of funds resulting from closure.

19 (a) Funds resulting from the closure of capital projects pursuant to section 9003(a) shall  
20 be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund up to an  
21 annual level of \$1,500,000 and then equally among the Local Streets Ward-Based Capital  
22 Projects.

23 (b) Funds resulting from the closure of capital projects pursuant to section 903(b) shall be  
24 allocated to the Federal Highway Administration capital projects approved for the current fiscal  
25 year as part of that year's Budget Request Act.

26 Sec. 9005. Quarterly summary.

1           The CFO shall submit to the Mayor and the Council a quarterly summary of all capital  
2 project closures conducted pursuant to this act.

3           **SUBTITLE B. CAPITAL BUDGET REPORTING**

4           Sec. 9011. Short title.

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

6           Sec. 9012. Beginning October 1, 2012, the Mayor shall submit to the Council, on a  
7 quarterly basis, a report certified by the Chief Financial Officer of the District of Columbia  
8 providing the lists of the projects or accounts to which any budget obligations or cash  
9 expenditures have been charged or reclassified under the Office of Contracting and  
10 Procurement’s Article 3 provision for emergency approval of expenditures for the District  
11 Department of Transportation. The quarterly reports shall include documentation of sufficient  
12 capital budget to support the obligations or expenditures.

13           **SUBTITLE C. CAPITAL BUDGET AUTHORITY TRANSFER**

14           Sec. 9021. Short title.

15           This subtitle may be cited as the “Capital Budget Authority Transfer Act of 2012”.

16           Sec. 9022. The following capital budget adjustments shall be made:

17           (a) The current budget authority and allotment shall be reduced for the following:

- 18                   (1) Project AW000 – South Capitol Street Corridor;
- 19                   (2) Fund detail 0320 – \$1,716,314;
- 20                   (3) Fund Detail 0350 - \$6,085,114;
- 21                   (4) Project TOP00 – Transit Operations and Dedicated Facilities;
- 22                   (5) Fund Detail 0320 – \$187,220;
- 23                   (6) Fund Detail 0350 – \$663,780.

24           (b) The current budget authority and allotment shall be increased for the following:

- 25                   (1) Project HTF00 – 11th Street Bridge;
- 26                   (2) Fund Detail 0320 – \$1,903,534;
- 27                   (3) Fund Detail 0350 - \$6,748,894.





DCPS	NC8	DGS	CLEVELAND ELEMENTARY	2007C	4,586
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
DDOT	CK2	DDOT	FY02 ADVANCE DESIGN	2005A	108,494
DDOT	EDS	DDOT	GREAT STREETS INITIATIVES	2007A	4,555,525
DDOT	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	PL106C	DGS	GOVT CTRS POOL (ANACOSTIA-DOES- DHS)	2008E	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 CENTRALDETENTION CENTER	2004A,B,C	154
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
OCTO	N18	OCTO	DATA CENTER FACILITY IMPROVEMENTS	2004A,B,C	2,956,568
UDC	PA6	DGS	BUILDING # 44	2003B,C,D	2,052
<b>TOTAL</b>					<b>\$ 20,996,442</b>

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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	<b>\$ 20,996,442</b>

1           **SUBTITLE E. CAPITAL PROJECT RESCISSION.**

2           Sec. 9041. Short title.

3           This subtitle may be cited as the Capital Project Rescission Act of 2012.

4           Sec. 9042. (a)The Chief Financial Officer shall rescind \$1,100,000 of PAYGO allotment  
5 and budget authority from capital project EB402c, “Pennsylvania Avenue SE Properties”, under  
6 the Deputy Mayor for Planning and Development, in fiscal year 2012.

7           (b)The Chief Financial Officer shall recognize the rescinded amount identified in  
8 subsection (a) of this section as fiscal year 2013 local funds revenues.

9                           **TITLE X. REVISED REVENUE ESTIMATE CONTINGENCY**

10          Sec. 10001. Short title.

11          This subtitle may be cited as the “Revised Revenue Estimate Contingency Priority List of  
12 2012”.

13          Sec. 10002. (a) If, pursuant to the Fiscal Year 2013 Budget Request Act of 2012, local  
14 revenues are certified in the June 2012, September 2012, or December 2012 revenue estimates  
15 that exceed the annual revenue estimate incorporated in the approved budget and financial plan  
16 for this fiscal year, the revenues shall be allocated in the following priority; provided, that if the  
17 Chief Financial Officer certifies that the amount enumerated in a paragraph has already been  
18 allocated from an alternative source, the paragraph shall not apply:

19                 (1) Department of Human Services - \$7,000,000 to increase local funds for  
20 homeless services to cover the loss of federal block grant carryover funds;

21                 (2) Department of Human Services - \$14,700,000 to increase the TANF job  
22 program to universality;

23                 (3) Various agencies - \$9,540,000 to fund and implement the South Capitol Street  
24 Memorial Amendment Act of 2012, passed on 2nd reading on March 20, 2012 (D.C. Act 19-344;  
25 59 DCMR 3083);

26                 (4) Department of General Services - \$18,000,000 to purchase land in NoMa to  
27 convert into park and recreational space;

- 1 (5) Department of Human Services - \$1,700,000 for youth homelessness  
2 prevention;
- 3 (6) Department of Human Services - \$1,575,451 to increase local funds to cover  
4 the loss of federal funds in Family Services block grants, refugee services, emergency shelter,  
5 pregnancy, and teen parenting;
- 6 (7) Department of Housing and Community Development - \$2,900,000 to  
7 increase local funding for the Home Purchase Assistance Program;
- 8 (8) Deputy Mayor for Public Safety and Justice/Office of Victims Services -  
9 \$2,584,000 for Emergency and Transitional Housing, the restoration of the cut to core services,  
10 and to fund the Lethality Program;
- 11 (9) Office of the State Superintendent of Education - \$8,550,000 for increasing  
12 infant and toddler services/early intervention slots by 925;
- 13 (10) Office of the State Superintendent of Education - \$5,000,000 for special  
14 education improvement, compliance, and capacity building (11 FTEs);
- 15 (11) Department of Employment Services - \$10,000,000 for adult job training;
- 16 (12) General Fund Revenue - \$10,000,000 to reduce the commercial property tax  
17 rate on the first \$3 million of assessed value from \$1.65 to \$1.55 per \$100 of assessed value;
- 18 (13) University of the District of Columbia - \$3,000,000 to provide full funding  
19 requested by the University of the District of Columbia for early out;
- 20 (14) Office of Planning - \$1,500,000 for the Ward 8 Pilot budget challenge;
- 21 (15) Office on Aging - \$76,874 to increase one FTE for the Senior Villages  
22 coordinator;
- 23 (16) Fire and Emergency Medical Services - \$540,000 to expand the Fire Cadet  
24 program;
- 25 (17) Department of Human Resources - \$320,000 to restore the Capital City  
26 Fellows Program (5 FTEs);

1 (18) Office of Motion Picture and Television Development - \$ 10,000,000 for  
2 additional funds in the Film DC Economic Incentive Fund;

3 (19) Department of Small and Local Business Development - \$220,000 for 2  
4 additional full-time equivalents;

5 (20) Department of Consumer and Regulatory Affairs - \$150,000 for the Boxing  
6 and Wrestling Commission;

7 (21) Office of Motion Picture and Television Development - \$150,000 for a cost-  
8 benefit study;

9 (22) Department of General Services - \$1,500,000 for expenses related to the  
10 Takoma Theater; and

11 (23) Department of Parks and Recreation - \$5,000,000 for expenses related to the  
12 Douglas Recreation Center.

13 (b) The District of Columbia may obligate and expend any increase in the amount  
14 of funds authorized by this section if the Chief Financial Officer certifies the increase in revenue  
15 and certifies that the use of the amounts is not anticipated to have a negative impact on the long-  
16 term financial plan of the District.

17 (c) If after the December revenue estimate, sufficient funds have not been identified in  
18 the financial plan to support the costs of recurring initiatives, as set forth in paragraphs (4), (7),  
19 (8), (13), and (14) of this subtitle, these initiatives shall be funded in fiscal year 2013, as one-  
20 time only, to the extent that funds have been certified.

21 **TITLE XI. FISCAL IMPACT AND EFFECTIVE DATE.**

22 Sec. 11001. Fiscal impact statement.

23 The Council adopts the fiscal impact statement in the committee report as the fiscal  
24 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
25 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

26 Sec. 11002. Effective date.

1           This act shall take effect following approval by the Mayor (or in the event of veto by the  
2 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
3 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
4 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
5 Columbia Register.