

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Kwame R. Brown, at the request of the Mayor, introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

To limit payment from the categories of bonus and special pay; to restore the government portion of the healthcare contribution to 75%; to amend the Department of General Services Establishment Act of 2011 to establish the District of Columbia Facilities Service Request Fund; to amend the Comprehensive Merit Personnel Act of 1979 to clarify that the Mayor shall request income information from all public sector workers' compensation claimants, and to correct an erroneous 2010 amendment that limited the wage earning capacity process to claimants hired before January 1, 1980; to centralize the collection of delinquent debts owed to the District within the Central Collection Unit of the Office of the Chief Financial Officer, Office of Finance and Treasury; to authorize the Central Collection Unit to collect delinquent debts owed to the District; to receive funding and to pay the costs and expenses associated with the collection of delinquent debts owed to the District; to impose fees on debtors to cover costs associated with the collection of delinquent debts; to impose a fee to be paid by each person who tenders in payment of a District obligation a check that is subsequently dishonored; to establish a special non-lapsing fund to be designated the Delinquent Debt Fund; to establish a lien for the payment of delinquent debts; to authorize the Central Collection Unit to enter into payment plan agreements, to discharge, settle and sell delinquent debt, and to report delinquent debt to credit agencies; to authorize suspension of issuance of licenses and permits to delinquent debtors; to authorize reciprocal offset agreements and settlement agreements related to delinquent debts; and to offset obligations owed by the District against delinquent debts of District employees, contractors, tax payers, and lottery winners; to amend an existing Additional Benefits law which triggers up to 20 weeks of additional benefits for unemployed claimants paid for by the District's unemployment trust fund if unemployment remains high; to allow unemployment insurance claims examiners to sign claimant benefits determinations electronically; to permanently revive the Economic Development Special Account; to provide grant making authority for the Skyland project; to authorize the Deputy Mayor for Planning and Economic Development to make annual grants for sector consultants, local business promotion, regional economic development, and the Bank on DC program; to allow on-premise alcoholic beverage sales until 4:00 a.m. and food and non-alcoholic beverage sales around-the-clock during a one-week inaugural celebration, including the 2013 and 2017 Presidential Inauguration Weeks; to allow the sale of alcohol

for off-premises consumption beginning at 7 a.m. instead of 9 a.m.; to extend the permitted hours for the sale of alcohol for on-premises consumption from 2:00 a.m. to 3:00 a.m. on weekdays and from 3:00 a.m. to 4:00 a.m. on weekends and District and federal holidays; to amend the Revised Statutes of the District of Columbia to modernize the publication requirement for Metropolitan Police Department notices of unclaimed property; to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998 to modify the per student foundation level for fiscal year 2013; to amend the School Based Budgeting and Accountability Act of 1998 to require that, commencing on December 15, 2012 and every 5 years thereafter, the Mayor prepare and submit to the Council for its approval a comprehensive 5-year Master Facilities Plan for the District of Columbia Public Schools and public charter schools; to provide that the 5-year Master Facilities Plan may be modified annually subject to approval by the Council; to require an annual survey of school facilities; to amend the Department of Transportation Establishment Act of 2002, to authorize the District Department of Transportation to collect transaction fees from parking meter users who use the pay-by-phone system and use those fees to pay the pay-by-phone vendor, and to amend An Act Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1939, and for other purposes, and the District of Columbia Motor Vehicle Parking Facility Act of 1942 to eliminate an out-of-date parking meter provision; to amend the Emergency Medical Services Improvement Amendment Act of 2008 to authorize the Fire and Emergency Medical Services Department to perform the responsibilities of State Safety Oversight Agency for streetcar operations as required by the Federal Transit Administration; to allow DDOT to enter into MOU agreements with WMATA; to expand the performance parking program citywide and direct all revenue to WMATA; to repeal the subject to appropriations clauses of funded legislation; to amend chapter 18 of title 47 to limit the retirement distributions subject to mandatory withholding to only lump-sum distributions; to amend the Department of Rental Housing Act of 1985 to exempt from rental unit fees all nonprofit entities that establish rent schedules for at least 440 subsidized rental units in the District of Columbia and are not exempted by the Housing Choice Voucher Program or the Low Income Housing Tax Credit; to amend title 47 of the D.C. Official Code to require filing of a use tax return by employers and to index the underpayment interest rate; to amend title 47 of the D.C. Official Code to index the underpayment interest rate; to amend Chapter 44 of Title 47 of the District of Columbia Official Code to reduce the threshold for requiring non-individual income tax taxpayers to make payments electronically; to amend Chapter 44 of Title 47 of the District of Columbia Official Code to allow for taxpayer overpayments of taxes to be applied to liabilities owed to the Department of Motor Vehicles; to make necessary technical and conforming amendments to the Fiscal Year 2012 Budget Support Act of 2011; to enact into permanent law the provision which the Council enacted as a temporary measure as part of the Fiscal Year 2012 budget and financial plan; to correct FY 2011 o-type un-designations; to authorize the Chief Financial Officer, in consultation with the Mayor, to close Department of Transportation capital projects if funds have been obligated or expended in excess of their approved budgets, or if the projects have been inactive for at least twelve months, or have been closed by the United States Department of Transportation and continue to have an open balance; to make necessary capital budget changes; and to provide a contingent revenue priority list.

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

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

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

Sec. 101. Short title.

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

Sec. 102. Bonus and special pay limitations.

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

- (1) Retirement awards;
- (2) Hiring bonuses for difficult-to-fill positions;
- (3) Additional income allowances for difficult-to-fill positions;
- (4) Agency awards or bonuses funded by private grants or donations;
- (5) Safe driving awards;
- (6) Gainsharing incentives in the Department of Public Works;
- (6) Suggestion/invention awards; or
- (7) Any other award/bonus required by an existing contract or collective

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

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

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (Comptroller subcategory 0138) shall apply in fiscal year 2013 to employees of the District of

Columbia Public Schools who are based at a local school or who provide direct services to individual students.

**SUBTITLE B. HEALTH BENEFIT PLAN CONTRIBUTION AMENDMENT**

Sec. 111. Short title.

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

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

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

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

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

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

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

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

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

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

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

(A) Strike the phrase “an amount equal to 72%” and insert the phrase “an

amount equal to 75%” in its place.

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

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

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

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

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

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

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

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

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

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

Sec. 121. Short title.

This subtitle may be cited as the "District of Columbia Facilities Service Request Fund Establishment Amendment Act of 2012".

Sec. 122. The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §10-551.01 *et seq.*), is amended by adding a new section 1025 to read as follows:

"Sec. 1025. Establishment of the District of Columbia Facilities Service Request Fund.

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

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

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

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

Sec. 131. Short title.

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

Sec. 132. The Comprehensive Merit Personnel Act of 1979, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

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

“(b)(1) The Mayor shall require each employee receiving benefits under this subtitle to report his or her earnings from employment or self-employment, by affidavit or otherwise, including by providing copies of tax documents and authorization for the Mayor to obtain copies

of tax documents, in the manner and at the times the Mayor specifies. The employee shall include in the affidavit or report the value of housing, board, lodging, and other advantages which are part of his or her earnings in employment or self-employment and which can be estimated in money.

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

“(A) Fails to file a complete affidavit or report when required; or

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

“(3) Compensation forfeited under this section, if already paid, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 2329 unless recovery is waived under that section.”.

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

## **SUBTITLE E. DELINQUENT DEBT RECOVERY**

Sec. 141. Short title.

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

### **TITLE I**

#### **Part. A.**

Sec. 142. Definitions.

For purposes of this act, the term:

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

(2) “Delinquent debt” means any financial obligation owed by a person to a

District agency that remains unpaid more than 90 days after it was due, provided that the term shall not include tax debts or child support debts;

(3) “Delinquent Debt Fund” or “Fund” means the Delinquent Debt Fund established by section 145;

(4) “District agency” means any District office, department, or agency, including independent agencies, but not including the Water and Sewer Authority; and

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

Sec. 143. Responsibility of District agencies to transfer and refer delinquent debt to the Central Collection Unit for collection.

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

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

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

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

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

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

Sec. 144. Imposition of costs and fees.

(a) The Central Collection Unit is authorized to prescribe, impose, and collect fees from

debtors to cover actual costs or expenses associated with the collection of delinquent debt.

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

Sec. 145. Establishment of the Delinquent Debt Fund.

There is hereby established within the General Fund a special non-lapsing fund to be known as the Delinquent Debt Fund (the "Fund"), into which shall be deposited any funds allocated to the Central Collection Unit through the District's annual Budget and Financial Plan, all delinquent debts collected by the Central Collection Unit, and all fees authorized by section 144; provided, with respect to any funds deposited in the Fund prior to the then-current fiscal year, including any interest earned on such funds prior to the then-current fiscal year, the money remaining in the Fund after the payment of all costs and expenses accrued prior to the then-current fiscal year, less 10% of such remainder which shall be retained as a reserve operating balance, shall be transferred or revert to the General Fund. All funds deposited in the Fund shall be administered and used by the Central Collection Unit, subject to appropriation by Congress, to conduct the authorized activities of the Central Collections Unit.

Sec. 146. Lien for delinquent debt.

(a) If a person liable to pay a delinquent debt neglects or refuses to pay the delinquent debt after demand by the Central Collection Unit, the amount, including any interest and any fees imposed for collection of the delinquent debt that may accrue, shall be a lien in favor of the

District of Columbia upon all property (including rights to property), whether real or personal, belonging to the person, and shall have the same effect as a lien created by judgment. The lien shall attach to all real or personal property (including rights to property) belonging to, or acquired by, the person at any time during the period of the lien.

(b) The lien imposed by section 146(a) shall be deemed to have arisen on the 91<sup>st</sup> day after the delinquent debt became due and owing to the District, and shall continue until the delinquent debt is satisfied or becomes unenforceable.

(c) The lien imposed by section 146(a) shall not be valid against a bona fide purchaser for value, holder of a security interest, mechanic's lien or, or judgment lien creditor until the lien has been filed with the Recorder of Deeds by the Central Collection Unit.

Sec. 147. Payment plans, discharge of delinquent debt, sale of delinquent debt, and report to credit agencies.

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

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

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

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

(4) Report delinquent debts to credit agencies;

(5) Sell delinquent debt; and

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

(b) The authority described in section 147(a) will become effective upon the issuance of an order by the Mayor delegating such of his authority, pursuant to An Act Authorizing the Commissioners of the District of Columbia to settle claims and disputes against the District of

Columbia, approved February 11, 1929 (45 Stat. 1160; D.C. Official § 2-402, *et seq.*), as he determines is necessary to carry out the purposes of this act.

Sec. 148. Suspension of licenses and permits.

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

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

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

Sec. 149. Reciprocal agreements.

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

Sec. 150. Offset of delinquent debt against District employee pay and against contractual obligations to District contractors.

(a) The Central Collection Unit is authorized to collect delinquent debt from District employees by deducting delinquent debt from the bi-weekly pay of District employees, in an amount not to exceed 10% of an employee's gross bi-weekly pay, until the delinquent debt is fully satisfied. In the event a District employee's wages are subject to a pre-existing attachment(s), the authority of the Central Collection Unit under this section shall not be effective

until the pre-existing attachment(s) has been satisfied in order of priority.

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

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

Sec. 151. Consumer protection.

The Central Collection Unit shall include in any contract with outside parties engaged to enforce collection of delinquent debt a provision that requires the contractor to fully comply with the Fair Debt Practices Collection Act, 15 U.S.C. § 1601 *et seq.*, the District of Columbia Consumer Protection Procedures Act, D.C. Official Code § 28-3901 *et seq.* and all other federal and District laws and rules that govern collection of delinquent debt.

Sec. 152. Report to the Council.

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

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

Part. B.

Sec. 153. Conforming amendments.

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

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

TITLE II

Sec. 154. The District of Columbia Government Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended by adding a new section 2905 to read as follows:

“Sec. 2905. Authority to Collect Infraction Fines from Responsible District Employees.

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

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

“(c) The responsible individual may challenge any notice of infraction issued for a moving violation as provided in subchapter II of the Traffic Act (D.C. Official Code § 50-2302.01 *et seq.*), or any notice of infraction issued for a parking, standing, or stopping infraction as provided in subchapter III of the Traffic Act (D.C. Official Code §50-2303.03 *et seq.*).

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

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

### **SUBTITLE A. UNEMPLOYMENT TRUST FUND STABILIZATION**

Sec. 201. Short title.

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

Sec. 202. Section 7(i) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 State 949; D.C. Official Code § 51-107 (i)) is repealed.

### **SUBTITLE B. UNEMPLOYMENT ELECTRONIC COMMUNICATIONS EFFICIENCY ACT**

Sec. 211. Short title.

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

Sec. 212. Section 11 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat 951; D.C. Code § 51-111) is amended by adding a new subsection (k) to read as follows:

“(k) (1) Notwithstanding any other provision of this act, all correspondence, notices, determinations, or decisions required for the administration of this act may be transmitted to claimants, employers, or necessary parties by electronic mail or other means of communication as the claimant, employer, or necessary party may select from the alternative methods of communication approved by the Director.

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

### **SUBTITLE C. ECONOMIC DEVELOPMENT SPECIAL ACCOUNT**

Sec. 221. Short Title.

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

Sec. 222. The National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21), is amended as follows:

(a) Section 301 is revived.

(b) Revived section 301 is amended to read as follows:

“Sec. 301. Economic Development Special Account.

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

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

“(A) All operating funds transferred from the Anacostia Waterfront Corporation Enterprise Fund, established by section 114 of the Anacostia Waterfront Corporation Act of 2004,

effective December 7, 2004 (D.C. Law 15-219; D.C. Official Code §2-1223.14);

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

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

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

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

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

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

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

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

“(d) Monies may be used to pay the costs of operating and administering properties and

programs under the authority of the Deputy Mayor for Planning and Economic Development, including properties and programs formerly operated and administered by the NCRC and the AWC, to provide economic development assistance, including the provision of grants, loans, and credit support or enhancement, and to implement other programs, projects, and initiatives that:

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

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

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

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

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

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

(b) Section 102(g)(3) (D.C. Official Code § 2-1225.02(g)(3)) is amended by striking the phrase “General Fund of the District of Columbia” and inserting the phrase “Economic

Development Special Account established by section 301” in its place.

(c) This section shall be retroactively effective to September 14, 2011.

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

Sec 231. Short title.

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

Sec 232. The Deputy Mayor for Planning and Economic Development shall have grant-making authority for the purpose of providing funds in support of the Skyland project.

Sec. 233. The Deputy Mayor for Planning and Economic Development is authorized to make annual grants for the purpose of promoting economic development programs and policies. For Fiscal Year 2013, the following amounts are authorized:

- (a) \$100,000 for sector consultants;
- (b) \$350,000 for local business promotion;
- (c) \$75,000 for regional economic development; and
- (d) \$50,000 for the Bank on DC program.”

**SUBTITLE E. INAUGURAL CELEBRATION EXTENSION OF HOURS**

Sec. 241. Short title.

This subtitle may be cited as the “Inaugural Celebration Extension of Hours Public Safety Act of 2012”.

Sec. 242. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-723 is amended by adding a new subsection (e) to read as follows:

“(e)(1) Every 4 years, beginning in 2013, the week of January 15 through January 21, shall be designated “Inaugural Week”. During Inaugural Week, a licensee under an on-premises

retailer’s license or a temporary license may sell or serve alcoholic beverages until 4 a.m. and operate 24 hours a day if the following conditions are met:

“(A) A licensee with a CN license shall pay a fee of \$250 for each day it will serve alcohol pursuant to this subsection and shall provide written notification and a public safety plan, no later than January 7, to the Alcoholic Beverage Control Board and Metropolitan Police Department of its hours of operation;

“(B) A licensee with a CR or CT license shall pay a fee of \$100 for each day it will serve alcohol pursuant to this subsection and shall provide written notification, no later than January 7, to the Alcoholic Beverage Control Board and Metropolitan Police Department of its hours of operation; or

“(C) All other licensees shall pay a fee of \$50 for each day it will serve alcohol pursuant to this subsection and shall provide written notification, no later than January 7, to the Board and Metropolitan Police Department of its hours of operation.

“(2) Under this subsection, a licensee operating under an on-premises retailer’s license shall not be required to obtain Board approval to sell alcoholic beverages until 4 a.m. and stay open 24 hours a day.”.

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

“(d) The Chief of Police may suspend a licensee’s privilege to extended hours of operation as defined in § 25-723(e) if the licensee’s operation presents a demonstrated danger to the health, safety, or welfare of the public.”.

#### **SUBTITLE F. OFF-PREMISES ALCOHOL AMENDMENT ACT**

Sec. 251. Short title.

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

Sec. 252. Section 25-722 of the D.C. Official Code is amended as follows:

“(a) Subsection (a) is amended by striking the phrase “9:00 a.m.” and inserting the phrase “7:00 a.m.” in its place.

“(b) Subsection (b) is amended by striking the phrase “9:00 a.m.” and inserting the phrase “7:00 a.m.” in its place.

#### **SUBTITLE G. ON-PREMISES ALCOHOL AMENDMENT**

Sec. 261. Short title.

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

Sec. 262. Section 25-723(b) of the D.C. Official Code is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “2:00 a.m.” and inserting the phrase “3:00 a.m.” in its place.

(b) Paragraph (2) is amended by striking the phrase “3:00 a.m.” and inserting the phrase “4:00 a.m.” in its place.

(c) Paragraph (3) is amended by striking the phrase “3:00 a.m.” and inserting the phrase “4:00 a.m.” in its place.”.

#### **SUBTITLE H. GASOLINE AND FUEL PUMP OCTANE MEASUREMENT**

Sec. 271. Short title.

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

Sec. 272. An Act To establish standard weights and measures for the District of Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes, approved March 3, 1921 (41 Stat. 1217; D.C. Official Code § 37-201.01 *et seq.*), is amended by adding a new section 18a-1 to read as follows:

“Sec. 18a-1. Gasoline and fuel pump octane measurement.

“(a) The Director shall:

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

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

“(3) Maintain records of all inspections;

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

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

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

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

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

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

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

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

“(e) The Director may assess a civil penalty of not more than \$5,000 upon a retailer who sells or offers for sale automotive fuel from any dispensing system, storage tank, or other dispensing device which has not been labeled in accordance with the provisions of this act or rules promulgated thereunder.

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

“(g) The Director may assess a civil penalty of not more than \$20,000 upon a retailer who sells or offers to sell automotive fuel from any dispensing system, storage tank, or

other dispensing device that has been condemned by the Director.

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

**SUBTITLE I. RENT SUPPLEMENT PRIORITIZATION AND FUNDING**

Sec. 281. Short title.

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

Sec. 282. The “District of Columbia Housing Authority Act of 1999”, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-226) is amended as follows:

(a) New section (e) is added to read as follows:

“(e) There shall be no new vouchers issued under the Local Rent Supplement Program tenant-based program or District of Columbia Local program as existing voucher holders leave the program through attrition.

Sec. 283. A new section 12 is added to D.C. Official Code § 42-2802 (b) as follows:

“(A) Notwithstanding D.C. Official § 42-2802, the Mayor may transfer an amount not to exceed \$19,969,048 million of the funds designated for deposit into the Fund to the Rental Assistance Support and Local Rent Supplement Fund, as established in §6-228, towards existing project-based and sponsor-based voucher assistance, as described in § 6-227, tenant-based assistance, as described in § 6-228, and capital-based assistance, as described in § 6-229 awarded under the Rent Supplement Program, in or prior to FY 2010.

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

**TITLE III. PUBLIC SAFETY AND JUSTICE**

## **SUBTITLE A. NOTICE OF UNCLAIMED PROPERTY**

Sec. 301. Short title.

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

Sec. 302. Section 417(a) of the Revised Statutes of the District of Columbia (39 Stat. 718; D.C. Official Code § 5-119.10(a)) is amended to read as follows:

“(a) With respect to all property (including money), except perishable property, animals, firearms and property of persons with mental illness, not otherwise disposed of in accordance with § 416 of the Revised Statutes, that shall remain in the custody of the Property Clerk for not less than 90 days without being claimed and repossessed, the Property Clerk shall:

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

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

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

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

“(3) Post or cause to be posted on the Metropolitan Police Department website a description of the property, and a copy of the notice published in the newspaper of general

circulation in the District, and shall make a record of the date when such publication and the posting of the notices are made.”.

#### **TITLE IV. PUBLIC EDUCATION**

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

Sec. 401. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Amendment Act of 2012".

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

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

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

Grade Level	Weighting	Per Pupil Allocation in FY 2013
Pre-School	1.34	\$12,226
Pre-Kindergarten	1.30	\$11,861
Kindergarten	1.30	\$11,861
Grades 1-3	1.00	\$9,124
Grades 4-5	1.00	\$9,124
Grades 6-8	1.03	\$9,398
Grades 9-12	1.16	\$10,584
Alternative program	1.17	\$10,675
Special education school	1.17	\$10,675
Adult	0.75	\$6,843

"(c) The supplemental allocations shall be calculated by applying weightings to the

foundation level as follows:

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
"LEP/NEP	Limited and non-English proficient students	0.45	\$4,106
"Summer	An accelerated instructional program in the summer for students who do not meet literacy standards pursuant to promotion policies of the District of Columbia Public Schools and public charter schools	0.17	\$1,551

"Special Education Add-ons:

Level/ Program	Definition	Weighting	Per Pupil Supplemental FY 2013
"Level 1: Special Education	Eight hours or less per week of specialized services	0.58	\$5,292
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	0.81	\$7,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.58	\$14,416
"Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.10	\$28,284

<p>“Special Education Capacity Fund</p>	<p>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.</p>	<p>0.40</p>	<p>\$3,650</p>
<p>Special Education Compliance Fund</p>	<p>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.</p>	<p>0.16</p>	<p>\$1,460</p>
<p>"Residential</p>	<p>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</p>	<p>1.70</p>	<p>\$15,511</p>

"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 in Their  
 3 Individualized Education Programs ("IEPs"):

4

"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".

21

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

23 Sec. 411. Short title.

24 This subtitle may be cited as the "School Based Budgeting and Accountability

25 Amendment Act of 2012".

1           Sec. 412. Section 1104 of the School Based Budgeting and Accountability Act of 1998,  
2 effective March, 26 1999 (D.C. Law 12-175; D.C. Official Code §38-2803), is amended as  
3 follows:

4           (a) Subsection (a) is amended by striking the text and adding new paragraphs (1) and (2)  
5 to read as follows:

6           “(1) Commencing on December 15, 2012 and every 5 years thereafter, the Mayor shall  
7 prepare and submit to the Council for its review and approval a comprehensive 5-year Master  
8 Facilities Plan for public education facilities in the District of Columbia in accordance with this  
9 section. The Council shall vote on the 5-year Master Facilities Plan concurrently with its vote on  
10 the Mayor’s capital budget proposal. If approved by the Council, the 5-year Master Facilities  
11 Plan shall take effect on the first day of the succeeding Fiscal Year.

12           (2) Council shall conduct at least one public hearing on the proposed 5-year Master  
13 Facilities Plan prior to approval.

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

18           (b) Subsection (b) is amended by re-numbering paragraph (2) as paragraph (3) and by  
19 adding a new subparagraph (k) to the new paragraph (3) to read as follows:

20           “(k) A school disposition plan delineating the process through which citizen involvement  
21 shall be facilitated, and establishing the criteria that shall be utilized in disposition decisions, one  
22 of which must be consideration of the impact of any proposed new use of a school building on  
23 the neighborhood in which the building is located.”

1 (b) Subsection (b) is amended by and by adding a new paragraph (2) to read as follows:  
2 “(2) Commencing on April 15<sup>th</sup>, 2013, OPEFP shall conduct an annual survey to update  
3 information on the enrollment, utilization and condition of each public school facility and shall  
4 make such information available to the public on the Mayor’s website by December 1st of each  
5 year.”

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

7 **SUBTITLE A. DEPARTMENT OF MENTAL HEALTH ENTERPRISE FUND**

8 Sec. 501. Short title

9 This subtitle may be cited as the “Department of Mental Health Enterprise Fund  
10 Establishment Act of 2012.”

11 Sec. 502. (a) There is established within the General Fund for the District of Columbia a  
12 segregated, non-lapsing account, to be designated the “Department of Mental Health Enterprise  
13 Fund”, into which shall be deposited all fees, proceeds and revenues collected from the activities  
14 and operations of a food cafeteria managed and operated by the Department of Mental Health  
15 (“Department”) on the St. Elizabeth Hospital Campus to serve Department staff and St. Elizabeth  
16 Hospital patients.

17 (b) Monies from the Fund shall only be used for the management and operation of the  
18 food cafeteria managed and operated by the Department on the St. Elizabeth Hospital Campus.

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

20 **SUBTITLE A. PARK MOBILE O-TYPE CREATION**

21 Sec. 601 Short title.

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

1           Sec. 602. The Department of Transportation Establishment Act of 2002, effective April 8,  
2 2011 (D.C. Law 18–370; 58 DCR 662), is amended by adding a new section 9f to read as  
3 follows:

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

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

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

15           “(c) Except as provided in subsection (d) of this section, the monies in the Fund shall not  
16 be a part of, or lapse into, the General Fund of the District or any other fund of the District.

17           “(d) The Fund shall terminate two years from the effective date of this Act and any  
18 remaining monies in the Fund shall be deposited into the General Fund.”

19           Sec. 603. Section 11 of An Act Making appropriations for the government of the District  
20 of Columbia and other activities chargeable in whole or in part against the revenues of such  
21 District for the fiscal year ending June 30, 1939, and for other purposes, approved April 4, 1938  
22 (52 Stat. 192; D.C. Official Code § 50–2633), is repealed.

1           Sec. 604. Section 3(5) 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(5)), is amended by  
3 striking the phrase “, in addition to those mechanical parking meters and devices installed  
4 pursuant to the authority conferred on the said Mayor by § 50-2633,”

5           **SUBTITLE B. STATE SAFETY AGENCY ESTABLISHMENT**

6           Sec. 611. Short title.

7           This subtitle may be cited as the “State Safety Oversight Agency Establishment Act of  
8 2012”.

9           Sec. 612. Section 1 of An Act To classify the officers and members of the fire  
10 department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat.  
11 314; D.C. Official Code § 5–401), is amended by adding a new subsection (c) to read as follows:

12           “(c) The Department shall serve as the State Safety Oversight Agency for the streetcar  
13 program in the District of Columbia, and the Fire Chief shall promulgate regulations in  
14 accordance with Federal Transit Administration requirements listed in 49 CFR Part 659”.

15           **SUBTITLE C. DDOT OMNIBUS AMENDMENT**

16           Sec. 621. Short title.

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

19           Sec. 622. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997  
20 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et seq.*), is amended as follows:

21           (a) Section 102a (D.C. Official Code § 9-111.01a), Subsection (d) is amended to include  
22 new paragraph (3) to read as follows:

1                   “(3) Beginning October 1, 2012, monies in the Fund shall not be used for  
2 expenditures that are not eligible for federal reimbursement (non-participating costs). Monies in  
3 the Local Transportation Fund and Enterprise Fund for Transportation Initiatives shall be used  
4 for non-participating costs that are charged to Highway Trust Fund subprojects. Budget for non-  
5 participating costs shall be provided through a master project and shall be allocated to all  
6 Highway Trust Fund projects as needed.”

7                   (b) D.C. Law 11-184 is amended to include new Section 102(c) to read as follows:

8                   “§ 9-111.01c. Cost Transfer Projects.

9                   For purposes of this subchapter:

10                  (1) the term “indirect cost” means a cost incurred for a common or joint purpose  
11 benefiting more than one project, and not readily assignable to the project specifically benefitted.

12                  (2) the term “indirect cost rate” means a device for determining in a reasonable manner  
13 the proportion of indirect costs each project should bear.

14                  (3) the term “labor surcharges” means the cost of employee fringe benefits, worker  
15 compensation insurance, leave, and similar labor related costs.

16                  (4) the term “additive rate” means the device used to represent labor surcharges as a  
17 percent of direct labor costs.

18                  (a) There is established the following cost transfer projects within the District Department  
19 of Transportation capital budget, which shall be used to collect labor surcharges and indirect  
20 costs that are recoverable with federally approved indirect and additive rates.

21                         (1) A Labor Cost Transfer project, which shall collect indirect labor costs and  
22 labor surcharges that cannot be directly charged to capital projects due to federal and local  
23 regulation, but are eligible for indirect and additive rate recovery, and

1 (2) An Administrative Cost Transfer project, which shall collect indirect material  
2 testing contract costs, Davis Bacon costs, the production costs of manuals and other  
3 administrative Federal Highway Administration support costs, as approved by the Chief  
4 Financial Officer of the District of Columbia, that are eligible for federal reimbursement.

5 (b) The Labor Cost Transfer project shall be authorized no budget. The Administrative  
6 Cost Transfer project will be allocated budget authority for contractual services. All  
7 expenditures posted to the transfer projects during a fiscal year shall be reallocated to active  
8 projects based on approved indirect and additive rates, reallocated to the operating budget, or  
9 otherwise removed from the cost transfer projects by the end of that fiscal year.

10 (c) Beginning October 1, 2012, the Mayor shall submit to the Council, on a quarterly  
11 basis, a report certified by the Chief Financial Officer of the District of Columbia that provides  
12 the current cost transfer project expenditure balances, lists the projects or accounts to which any  
13 transfer project expenditures have effectively been charged or moved, and identifies the amount  
14 charged or moved.

#### 15 **SUBTITLE D. WMATA MOU ESTABLISHMENT**

16 Sec. 631. Short title.

17 This subtitle may be cited as the “Washington Metropolitan Area Transit Authority  
18 Memorandum of Understanding Establishment Act of 2012”.

19 Sec. 632. Section 1 of An Act To grant additional powers to the Commissioners of the  
20 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.  
21 Official Code § 1-301.01), is amended by adding a new subsection (j-1) to read as follows:

22 “(j-1) *Placement of orders with the Washington Metropolitan Area Transit*  
23 *Authority.* – Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8,

1 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor, or his or her  
2 delegate, may contract with the Washington Metropolitan Area Transit Authority for materials,  
3 supplies, equipment, work, or services of any kind. Contracts as provided in this subsection  
4 shall be considered as obligations upon appropriations in the same manner as orders or contracts  
5 under subsections (j) or (k) of this section. For the purposes of this section, the District  
6 Department of Transportation shall be an authorized delegate.”.

7 **SUBTITLE E. PERFORMANCE PARKING EXPANSION**

8 Sec. 641. Short title.

9 This subtitle may be cited as the “Performance Parking Zone Expansion Amendment of  
10 2012”.

11 Sec. 642. Section 2 of the Performance Parking Pilot Zone Act of 2008, effective  
12 November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531) is amended as follows:

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

14 (1) Strike the phrase “Pilot”.

15 (2) Strike the phrase “within and around established performance parking pilot  
16 zones” and insert the phrase “citywide” in its place.

17 (b) Subsection (b) is amended by striking the phrase “performance parking pilot zones”.

18 (c) Subsection (c) is amended by striking the phrase “Within each performance parking  
19 pilot zone, the” and inserting the phrase “The” in its place.

20 (d) Subsection (d) is amended by striking the phrase “Within each performance parking  
21 pilot zone, and notwithstanding” and inserting the phrase “Notwithstanding” in its place.

22 (e) Subsection (e) is amended by striking the phrase “within a performance parking pilot  
23 zone,”.

1 (f) Subsection (f) is amended by striking the phrase “within a performance parking pilot  
2 zone,”.

3 (g) Subsection (g) is amended by striking the phrase “each performance parking pilot  
4 zone” and inserting the phrase “the Performance Parking Program”.

5 Sec. 643. Section 2a(a) of the Performance Parking Pilot Zone Act of 2008, effective  
6 November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531.01(a)) is amended by  
7 striking the phrase “Pilot Zones” and inserting the phrase “Program” in its place.

8 Sec. 644. Section 3, 3a, and 4 of the Performance Parking Pilot Zone Act of 2008,  
9 effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2532) are repealed.

10 Sec. 645. Section 5(a) of the Performance Parking Pilot Zone Act of 2008, effective  
11 November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2534(a)) is amended to read as  
12 follows:

13 “(a) All annual curbside parking fee revenue from the Performance Parking Program  
14 shall be used to fund the general operations of the Washington Metropolitan Area Transit  
15 Authority, except that portion which is necessary to transfer to the District Department of  
16 Transportation Parking Meter Pay-by-phone Transaction Fee Fund to pay the vendor responsible  
17 for maintaining the parking meter pay-by-phone payment system’s annual total of transaction  
18 fees.”.

19 Sec. 646. Section 6 of the Performance Parking Pilot Zone Act of 2008, effective  
20 November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2535) is amended as follows:

21 (a) Subsection (a) is amended by striking the phrase “pilot zone’ and inserting the phrase  
22 “program” in its place.

1 (b) Subsection (b) is amended by striking the phrase “pilot zone” and inserting the phrase  
2 “program” in its place.

3 (c) Subsection (c) is amended by striking the phrase “a performance parking pilot zone”  
4 and inserting the phrase “the performance parking program” in its place.

5 (d) Subsection (d) is amended by striking the phrase “each performance parking pilot  
6 zone” each place it appears and inserting the phrase “the performance parking program” in its  
7 place.

8 (e) Subsection (e) is amended by striking the phrase “pilot zone” each place it appears  
9 and inserting the phrase “program” in its place.

10 **SUBTITLE F. D.C. TAXICAB DROP FEE**

11 Sec. 651. Short title.

12 This subtitle may be cited as the “District of Columbia Taxicab Commission Fund  
13 Amendment Act of 2012”.

14 Sec. 652. The second sentence of section 20a(a) of the District of Columbia Taxicab  
15 Commission Establishment Act of 1985, effective May 10, 1988 (D.C. Law 7-107; D.C. Official  
16 Code § 50-320(a)), is amended to read as follows:

17 “The Fund shall consist of: (1) all assessments levied by the Commission against taxicab  
18 operators upon the issuance and renewal of a public vehicle operator's identification license  
19 issued pursuant to § 47-2829(e), held in miscellaneous trust funds by the Public Service  
20 Commission of the District of Columbia and the Office of the People's Counsel prior to June 23,  
21 1987, pursuant to § 34-912(a); and (2)(A) the proceeds of a fee or fees established by the  
22 Commission, by rule, which is estimated to aggregate at least \$1 million in Fiscal Year 2013, and  
23 each fiscal year thereafter, or (B) any other amounts designated by law, rule, or reprogramming

1 to be deposited into the Fund in an amount which is estimated to aggregate at least \$1 million in  
2 Fiscal Year 2013, and each fiscal year thereafter.”.

3 **TITLE VII. FINANCE AND REVENUE**

4 **SUBTITLE A. SUBJECT TO APPROPRIATIONS REPEALERS**

5 Sec. 701. Short title.

6 This subtitle may be cited as the “Subject to Appropriations Repealers Amendment Act  
7 of 2012”.

8 Sec. 702. Section 3 of the United House of Prayer for All People Real Property Tax  
9 Exemption Act of 2011, effective December 2, 2011 (D.C. Law 19-53; 58 DCR 5949), is  
10 repealed.

11 Sec. 703. Section 4 of the Samuel J. Simmons NCBA Estates No. 1 Limited Partnership  
12 Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010, effective  
13 March 12, 2011 (D.C. Law 18-311; 57 DCR 12396), is repealed.

14 Sec. 704. Section 601 of the South Capitol Street Memorial Amendment Act of 2012,  
15 effective \_\_\_\_ (D.C. Bill 19-211§ 601; 58 DCR \_\_\_\_ ) is amended to read as follows:

16 “Title I, Title III, Section 15(c) of Section 402 of Title IV, Section 502 of Title V, and  
17 Section 602 of Title VI of this act shall take effect subject to the inclusion of its fiscal effect in  
18 an approved budget and financial plan.”.

19 Sec. 705. Section 47-4605(d) is amended by creating a new paragraph (d)(3) to read as  
20 follows:

21 “(3) The real property tax exemption granted by paragraph (1) of this subsection shall  
22 apply to Square 5190, lots 806, 807, and 808, and Square 5348 lots 1, 2, 3, 4, 5, 6, 7, and 8 for  
23 the consecutive real property tax years beginning with Tax Year 2003.”.

1           Sec. 706. Section 3 of the Washington Ballet Equitable Real Property Tax Relief Act of  
2 2011, effective January 12, 2012 (D.C. Law 19-077 § 3; 58 DCR \_\_) is repealed.

3           **SUBTITLE B. TARGETED RETIREMENT DISTRIBUTION WITHHOLDING**

4           Sec. 711. Short title.

5           This subtitle may be cited as the “Targeted Retirement Distribution Withholding  
6 Amendment Act of 2012”

7           Sec. 712. Section 47-1812.08(m) of the District of Columbia Official Code is amended  
8 by striking the current subsection (m) and inserting the following in its place:

9           “(m)(1) If a resident payee receives any previously untaxed distribution of their  
10 retirement plan account that is not an annuity or payment similar to an annuity payment, District  
11 income tax shall be withheld by the payor at the highest District individual income tax rate as  
12 exists at the time of the distribution.

13           “(2) Paragraph (1) will not apply:

14                   (A) to an eligible rollover distribution that is effected as a direct trustee to  
15 trustee transfer; or

16                   (B) to a rollover from an IRA to a traditional or Roth IRA that is effected as a  
17 direct trustee to trustee transfer.

18           “(3) For the purposes of this subsection, the terms “retirement account” or “retirement  
19 plan” mean:

20                   “(A) A qualified employee plan;

21                   “(B) A qualified employee annuity plan;

22                   “(C) A defined contribution plan;

23                   “(D) A defined benefit plan;

1                   “(E) A tax sheltered annuity plan;  
2                   “(F) An individual retirement account;  
3                   “(G) Any combination of the plans and account listed in subparagraphs  
4 (A) through (F); or  
5                   “(H) Any similarly situated plan as defined by the Internal Revenue  
6 Code.

7           “(4) This subsection shall be applicable for distributions made after December 31,  
8 2011”.

9           **SUBTITLE C. SUBSIDIZED NONPROFIT RENTAL UNIT FEE EXEMPTION**  
10 **AMENDMENT**

11           Sec. 721. Short title.

12           This subtitle may be cited as the "Subsidized Nonprofit Rental Unit Fee Exemption  
13 Amendment Act of 2012".

14           Sec. 722. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985  
15 (D.C. Law 6-10; D.C. Official Code § 42-3504.01), is amended by adding a new subsection (c)  
16 to read as follows:

17           “(c) (1) A nonprofit rental housing provider shall be exempt from the rental unit fee if the  
18 provider:

19                   “(A) Establishes rent schedules for 440 or more subsidized housing units  
20 affordable to tenants from low-income, very-low income, or extremely low-income households,  
21 as these incomes are defined in section 2 of the Housing Production Trust Fund Act of 1988,  
22 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 United  
4 States Housing Act of 1936 (50 Stat. 888; 42 U.S.C. § 1437(f)); or

5                   “(ii) The Low Income Housing Tax Credit under section 13142 of the  
6 Revenue Reconciliation Act of 1993 (107 Stat. 312; 26 U.S.C. § 42)

7                   “(2) For the purpose of this section, the term ‘nonprofit rental housing provider’  
8 means an organization operating rental units or housing accommodations on a nonprofit basis  
9 under which no part of the net earnings of the housing provider inure to the benefit of or are  
10 distributable to its directors, officers, or any other private individual except as reasonable  
11 compensation for services rendered to the housing provider.”.

12           **SUBTITLE D. EMPLOYER USE TAX RETURNS**

13           Sec. 731. Short title.

14           This subtitle may be cited as the “Employer Use Tax Return Act of 2012”.

15           Sec. 732. A new subsection (g) is added to Section 47-2211 of the District of Columbia  
16 Official Code to read as follows:

17                   “(g)(1) Any employer required to file a DC withholding tax return, who is not required to  
18 collect and remit sales tax, shall file an annual use tax return on or before October 20 of each  
19 year, in the manner prescribed by the Chief Financial Officer, remitting with such return the use  
20 taxes which are due.

21                   (2) The Chief Financial Officer may permit or require the returns to be made for other  
22 periods and upon such other dates as he may specify; provided that the gross receipts during any  
23 tax year shall be included in returns covering such year and no other.

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**SUBTITLE E. OVERPAYMENT INTEREST RATE**

Sec. 741. Short title.

This subtitle may be cited as the “Overpayment Interest Rate Act of 2012”.

Sec. 742. Section 47-4202 of the District of Columbia Official Code is amended as follows:

(a) The text in subsection §47-4202 (c) is renumbered to be (c)(1) and the word “The” is struck and replaced with “For overpayments on which interest is due on or before December 31, 2012, the”;

(b) New subparagraph (c)(2) is added to read as follows:

“(2) For overpayments on which interest is due beginning January 1, 2013, the overpayment rate for each annual period shall be one percentage point above the Primary Credit Discount Rate for the Richmond Federal Reserve Bank as of the previous September 30, not exceeding 6% in the aggregate.”.

**SUBTITLE F. LOWER EFT PAYMENT**

Sec. 751. Short title.

This subtitle may be cited as the “The Non-Individual Income Tax Electronic Filing Threshold Amendment Act of 2012”.

Sec. 752. Chapter 44 of Title 47 of the D.C. Official Code is amended as follows:

(a) Section 47-4402 (c) is amended by striking the figure “\$10,000” and inserting the figure “\$5,000” in its place.

**SUBTITLE G. HOMESTEAD DEDUCTION, PERSONAL EXEMPTION, AND STANDARD DEDUCTION AMENDMENT**

1           Sec. 761. Short title

2           This subtitle may be cited as the “Homestead Deduction, Personal Exemption, and  
3 Standard Deduction Amendment Act of 2012”.

4           Sec. 762. Title 47 of the D.C. Official Code is amended as follows:

5           (a) In § 47-802(14) strike the first sentence and insert the phrase “The term “cost-of-  
6 living adjustment” for any real property tax year means an amount equal to the dollar amount of  
7 the homestead deduction provided in §§ 47-850(a) and 47-850.01(a) multiplied by the difference  
8 between the Consumer Price Index for the preceding real property tax year and the Consumer  
9 Price Index for the real property tax year beginning October 1, 2010 divided by the Consumer  
10 Price Index for the real property tax year beginning October 1, 2010.” in its place.

11           (b) In § 47-824(b)(3)(J) is amended to read as follows:

12                   “(i) The current tax year's taxable assessment (determined by taking into account  
13 the owner-occupant residential tax credit under § 47-864); and

14                   “(ii) The estimate of the proposed taxable assessment for the tax year (determined  
15 by taking into account an estimate of the owner-occupant residential tax credit under § 47-864 by  
16 using the amount of the current tax year’s homestead deduction in lieu of the amount of the  
17 proposed tax year’s homestead deduction).”.

18           (c) § 47-1801.04(11)(A) is amended to read as follows:

19                   “(11)(A) “Cost-of-living adjustment” means an amount, for any calendar year,  
20 equal to the dollar amount set forth in paragraph (44)(A) and (B) of this section or § 47-  
21 1806.02(f)(1)(A) and (i) multiplied by the difference between the Consumer Price Index for the  
22 preceding calendar year and the Consumer Price Index for the calendar year beginning January  
23 1, 2011 divided by the Consumer Price Index for the calendar year beginning January 1, 2011.”.

1           **SUBTITLE H. DELINQUENT TAXPAYER REFUND OFFSET**

2           Sec. 771. Short title.

3           This subtitle may be cited as the "The Taxpayer Refund Offset for Department of Motor  
4 Vehicle Liabilities Act of 2012".

5           Sec. 772. Chapter 44 of Title 47 of the D.C. Official Code is amended as follows:

6           (a) Section 47-4431 (c) is amended by making a new subsection (4) to read as follows:

7                   “(4) To owe delinquent taxes, fees, fines or other liabilities to the Department of  
8 Motor Vehicles”.

9           **SUBTITLE I. MUNICIPAL BOND TAX REPEAL**

10          Sec. 781. Short title.

11          This subtitle may be cited as the “Out-of-State Municipal Bond Tax Repeal Act of 2012”.

12          Sec. 782. Section 47-1803.02(a) of the District of Columbia Official Code is amended as  
13 follows:

14           (a) Paragraph (1)(B) is amended by striking the phrase “For individuals, estates, and  
15 trusts, interest upon the obligations of a state, territory of the United States, or any political  
16 subdivision thereof, but not including the District, acquired by the taxpayer on or after January 1,  
17 2012, shall be included in the computation of District gross income.” and inserting the phrase  
18 “Individuals, estates, and trusts shall not include interest on the obligations of the District of  
19 Columbia, a state, a territory of the United States, or any political subdivision thereof, in the  
20 computation of District gross income.” in its place.

21           (b) Paragraph (1A) is repealed in its entirety.

22          Sec. 783. This subtitle will apply if and only if the Chief Financial Officer certifies that  
23 sufficient revenue is available in the three remaining 2012 revenue estimates to fund items 1-6 in

1 Title X, Subtitle A of the Fiscal Year 2013 Budget Support Act of 2012, the Revised Revenue  
2 Estimate Contingency Priority List of 2012. This subtitle will apply on the date of the Chief  
3 Financial Officer’s certification.

4 **SUBTITLE J. COMMERCIAL PROPERTY TAX RATE AMENDMENT**

5 Sec. 791. Short title.

6 This subtitle may be cited as the “Commercial Property Tax Rate Amendment Act of  
7 2012”.

8 Sec. 792. Section 47-812(b-9) of the District of Columbia Official Code is amended as  
9 follows:

10 (a) Subsection (1)(A) is amended by striking the phrase “\$1.65” and inserting the phrase  
11 “\$1.55” in its place.

12 (b) Section (2)(A)(i) is amended by striking the phrase “beginning October 1, 2011, the  
13 tax rate shall be \$1.65” and inserting the phrase “beginning October 1, 2013, the tax rate shall be  
14 \$1.55” in its place.

15 Sec. 793. This subtitle shall apply upon certification by the Office of the Chief Financial  
16 Officer that sufficient revenue is available in the three remaining 2012 revenue estimates to fund  
17 items 1-12 in Title X, Subtitle A of the Fiscal Year 2013 Budget Support Act of 2012, the  
18 Revised Revenue Estimate Contingency Priority List of 2012.

19 **TITLE VIII. BUDGET SUPPORT ACT CONFORMING AND TECHNICAL**  
20 **AMENDMENTS**

21 **SUBTITLE A. PRIOR BUDGET SUPPORT ACT AMENDMENTS**

22 Sec. 801. Short title.

23 This subtitle may be cited as the “Prior Budget Support Act Amendments Act of 2012”.

1           Sec. 802. The Fiscal Year 2012 Budget Support Act of 2011, effective September 14,  
2 2011 (D.C. Law 19-0021; 58 DCR 6626) is amended as follows:

3           (a) Section 9004(b) is amended by striking the phrase “816” and inserting the phrase  
4 “820” in its place.

5           (b) Section 9020 is repealed.

6           (c) Section 9067 is amended as follows:

7                 (1) Subsection (a) is amended by striking the phrase “(2)” and inserting the phrase  
8 “(3)” in both places it appears.

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

10                         “(c) Section 702 (D.C. Official Code § 48-907.02) is repealed.”.

11           (d) Section 9073 is amended to read as follows:

12           “Sec. 9073. Animal Control License Fees Fund.

13           Section 5 of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30;  
14 D.C. Official Code § 8-1804), is amended as follows:

15                 (1) Add a new subsection (e-1) to read as follows:

16                         “(e-1) All the fees collected pursuant to subsection (e) of this section shall be  
17 deposited in the General Fund of the District of Columbia.”.

18                 (2) Section (i) is repealed.

19           (e) Section 9099 is repealed.

20           (f) A new section 9109 is added to read as follows:

21           “Notwithstanding any other law, the funds which are deposited in the fund designated for  
22 accounting purposes by the Office of the Chief Financial Officer as fund 2531 within the

1 Metropolitan Police Department shall be deposited in the General Fund of the District of  
2 Columbia and shall not be accounted for by a separate fund or account within the General Fund  
3 of the District of Columbia. Any unexpended funds in the fund on the effective date of this  
4 subtitle shall be transferred to the unrestricted fund balance of the General Fund of the District of  
5 Columbia.

6 Sec. 803. Section 47-392.02(f) of the District of Columbia Official Code is amended as  
7 follows:

8 (a) Paragraph (2) is amended by striking the number “2013” and inserting the number  
9 “2016” in its place.

10 (b) Paragraph (3) is amended by striking the phrase “May 24, 2011” and inserting the  
11 phrase “May, 2015” in its place.

12 Sec. 804. Section 6 of the Revised Fiscal Year 2012 Budget Support Technical  
13 Clarification Temporary Amendment Act of 2011, effective December 2, 2011 (D.C. Law 19-  
14 053; D.C. Official Code § 47-1806.03(a)(8)) is amended by striking the phrase “\$400, plus 6%  
15 of the excess over \$40,000” and inserting the phrase “\$400, plus 6% of the excess over \$10,000”  
16 in its place.

17 Sec. 805. (a) Section 47-1803.02(a) of the District of Columbia Official Code is  
18 amended as follows:

19 (1) Paragraph (1)(B) is amended to read as follows:

20 “(1)(B) For individuals, estates, and trusts, interest upon the obligations of  
21 a state, territory of the United States, or any political subdivision thereof, but not including the  
22 District, acquired by the taxpayer on or after January 1, 2012, shall be included in the  
23 computation of District gross income.”.

1 (2) Paragraph (1A) is repealed in its entirety.

2 (b)(1) Paragraph 1(B) shall apply unless and until the Chief Financial Officer certifies  
3 that sufficient revenue is available in the three remaining 2012 revenue estimates, whereupon  
4 subtitle I of Title VII of the introduced version of the Fiscal Year 2012 Budget Support Act of  
5 2012 will become effective. (Municipal Bond Repeal).

6 (2) Upon the date of the Chief Financial Officer’s certification of sufficient  
7 revenue pursuant to Section 47-1803.02(b)(1), Section 47-1803.02(a)(1)(B) is repealed.”.

8 Sec. 806. Section 47-1806.03(a) of the District of Columbia Official Code is amended by  
9 adding a new paragraph (8) to read as follows:

10 “(8)(A) In the case of a taxable year beginning after December 31, 2011, there is imposed  
11 on the taxable income of every resident a tax determined in accordance with the following table:

“If the taxable income is:	The tax is:
“Not over \$10,000.....	4% of the taxable income
“Over \$10,000 but not over \$40,000.....	\$400, plus 6% of the excess over \$10,000.
“Over \$40,000 but not over \$350,000.....	\$2,200, plus 8.5% of the excess over \$40,000
“Over \$350,000 .....	\$28,550, plus 8.95% of the excess above \$350,000.

18 “(B) This paragraph shall expire as of January 1, 2016.”.

20 **SUBTITLE B. FY 2011 O-TYPE UN-DESIGNATION AMENDMENT**

21 Sec. 811. Short title.

22 This subtitle may be cited as the “FY 2011 O-type Un-Designation Amendment Act of  
23 2012”.

1           Sec. 812. Section 10004 of the Fiscal Year 2012 Budget Support Act of 2011, effective  
 2 September 14, 2011 (D.C. Law 19-0021; D.C. Official Code \_\_) is amended as follows:

3           “Sec. 10004. Special purpose revenue.

4           (a) Notwithstanding any provision of law limiting the use of funds in the accounts listed  
 5 in the following chart, the Chief Financial Officer shall undesignate the full remaining balance in  
 6 these accounts, at the end of fiscal year 2011, to the unrestricted fund balance of the General  
 7 Fund of the District of Columbia. The estimated dollar amounts to be swept appear in the  
 8 following chart (FY11 Undesignation):

<b>Fund</b>	<b>Agency Title</b>	<b>Agency Fund Title</b>	<b>FY11 Undesignation</b>
1459	DEPARTMENT OF REAL ESTATE SERVICES	RENT	\$2,015,371
618	OFFICE OF CHIEF FINANCIAL OFFICER	COMPLIANCE & REAL PROP TX ADMIN FUND	\$1,542,073
601	OFFICE OF THE ATTORNEY GENERAL	DUI	\$21,453
612	OFFICE OF THE ATTORNEY GENERAL	ANTIFRAUD FUND	\$173,379
602	OFFICE OF THE ATTORNEY GENERAL	ANTI-TRUST FUND	\$265,131
611	OFFICE OF THE ATTORNEY GENERAL	CONSUMER PROTECTION FUND	\$1,403,000
6109	DC PUBLIC LIBRARY	Miscellaneous Customer Service	\$292
6102	DC PUBLIC LIBRARY	BOOKSTORE - DCPL	\$86,377
6110	DC PUBLIC LIBRARY	MISCELLANEOUS	\$93,499
6103	DC PUBLIC LIBRARY	RESTRICTED FINES	\$442,444
623	DEPARTMENT OF EMPLOYMENT SERVICES	PROCEEDS - 500 C STREET, N.E.	\$100,000
6015	OFFICE OF TENANT ADVOCATE	RENTAL ACCOMMODATION FEES	\$795,375
6005	OFFICE OF TENANT ADVOCATE	CONDO CONVERSION	\$1,160,676
6025	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	CONSTRUCTION/ZONING COMPLIANCE MGMT FUND	\$24,488
6035	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	ENHANCED SURVEYOR FUNCTION	\$692,566

622	Department of Small and Local Business Development	COMMERCIAL TRUST FUND	\$98,230
1607	METROPOLITAN POLICE DEPARTMENT	SALE OF UNCLAIMED PROPERTY	\$715,057
614	OFFICE OF ADMINISTRATIVE HEARINGS	ADJUDICATION FINES	\$794
601	OFFICE OF THE CHIEF MEDICAL EXAMINER	MEDICAL EXAMINER FEES	\$56,228
6011	STATE SUPERINTENDENT OF EDUCATION (OSSE)	PRE-K PROGRAM ASSISTANCE FUND	\$97,999
6010	STATE SUPERINTENDENT OF EDUCATION (OSSE)	OPLA - SPECIAL ACCOUNT	\$125,952
627	OFF PUBLIC ED FACILITIES MODERNIZATION	BOE-REAL PROPERTY IMPROV/MAINT FUND	\$206,376
603	OFF PUBLIC ED FACILITIES MODERNIZATION	LEASE INCOME	\$1,356,678
641	DEPARTMENT OF HEALTH	OTHER MEDICAL LICENSES AND FEES	\$5,619
649	DEPARTMENT OF HEALTH	HEALTH FACILITY FEE	\$5,860
638	DEPARTMENT OF HEALTH	ANIMAL CONTROL DOG LICENSE FEES	\$23,982
612	DEPARTMENT OF HEALTH	FOOD HANDLERS CERTIFICATION	\$85,259
606	DEPARTMENT OF HEALTH	VITAL RECORDS REVENUE	\$174,564
670	DEPARTMENT OF HEALTH CARE FINANCE	HCSN REVOLVING FUND	\$1,973
664	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ADJUDICATION HEARINGS (AIR QUALITY)	\$28,481
607	DISTRICT DEPARTMENT OF THE ENVIRONMENT	UNDERGROUND STORAGE TANK FINES AND FEES	\$92,922
600	DISTRICT DEPARTMENT OF THE ENVIRONMENT	GENERAL ENFORCEMENT FINES AND FEES	\$119,251
669	DISTRICT DEPARTMENT OF THE ENVIRONMENT	LEAD BASED CERTIFICATION FEES	\$156,124
645	DISTRICT DEPARTMENT OF THE ENVIRONMENT	PESTICIDE PRODUCT REGISTRATION	\$638,269
668	DISTRICT DEPARTMENT OF THE ENVIRONMENT	LEAD POISONING PREVENTION FUND	\$162,476
674	DISTRICT DEPARTMENT OF THE ENVIRONMENT	HAZARDOUS GENERATOR FEES	\$220,931
6967	DEPARTMENT OF PUBLIC WORKS	ABANDONED VEHICLE PROGRAM	\$111,522
6221	DEPARTMENT OF MOTOR VEHICLES	DRIVERS EDUCATION PROGRAM	\$683,570
4010	OFFICE OF CONTRACTING AND PROCUREMENT	DC SURPLUS PERSONAL PROPERTY SALES OPER.	\$393,061

6900	DEPARTMENT OF TRANSPORTATION	DDOT OPERATING FUND	\$1,649,485
1261	DEPT. OF HOUSING AND COMM. DEVELOPMENT	HOUSING PRODUCTION TRUST FUND	\$163,444
1011	DEPUTY MAYOR FOR ECONOMIC DEVELOPMENT	NEIGHBORHOOD INVESTMENT FUND	\$38
600	DEPARTMENT OF HEALTH	SPECIAL PURPOSE REVENUE FUND	\$345
665	DEPARTMENT OF HEALTH	ADJUDICATION HEARINGS (WATER QUALITY)	\$4,000
661	DISTRICT DEPARTMENT OF THE ENVIRONMENT	RETF - PEPCO	\$8,736
615	DEPART OF INSURANCE, SECURITIES & BANKING	JUNIOR SUPERSAVERS CLUB	\$9,000
8014	John A. Wilson Building Fund	WILSON BUILDING NOTES PAYABLE	\$912,587
633	DISTRICT OF COLUMBIA PUBLIC SCHOOLS	DHHS AFTERSCHOOL PROG-COPAYMENT	\$132,890
1440	DEPARTMENT OF REAL ESTATE SERVICES	RFK & DC ARMORY MAINTENANCE FUND	\$169,988
609	DEPUTY MAYOR FOR ECONOMIC DEVELOPMENT	INDUSTRIAL REVENUE BOND PROGRAM	\$2,390,415
607	DISTRICT OF COLUMBIA PUBLIC SCHOOLS	CUSTODIAL	\$1,355
603	STATE SUPERINTENDENT OF EDUCATION (OSSE)	STATE SUPERINTENDENT OF EDUCATION FEES	\$226,486
604	STATE SUPERINTENDENT OF EDUCATION (OSSE)	GED TESTING FEES	\$64,747
602	DEPARTMENT OF PARKS AND RECREATION	ENTERPRISE FUND ACCOUNT	\$134,639
656	DEPARTMENT OF HEALTH	EMS FEES	\$27,339
6203	DISTRICT DEPARTMENT OF THE ENVIRONMENT	RESIDENTIAL ESSENTIAL SERVICES (RES)	\$3,940
6201	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ECONOMY II	\$11,986
6202	DISTRICT DEPARTMENT OF THE ENVIRONMENT	RESIDENTIAL AID DISCOUNT (RAD)	\$56,994
6100	DEPARTMENT OF MOTOR VEHICLES	FEE - OUT-OF-STATE VEHICLE REGISTRATION	\$96,219
6000	DEPARTMENT OF MOTOR VEHICLES	GENERAL "O" TYPE REVENUE SOURCES	\$596,137
2100	TAXI CAB COMMISSION	JUSTICE DEPARTMENT FINGERPRINTS	\$13,768
610	OFFICE OF MOTION PICTURES & TELEVISION	PRODUCTION SUPPORT	\$32,090
	<b>TOTAL</b>		<b>\$21,083,930</b>

1           “(b) Notwithstanding any provision of law limiting the use of funds in the accounts listed  
2 in the following chart, the Chief Financial Officer shall undesignate, at the end of fiscal year  
3 2011, the exact dollar amounts (or the full amount if less than what is listed) in the following  
4 chart to the unrestricted fund balance of the General Fund of the District of Columbia (FY11  
5 Undesignation). Additionally, local revenue shall be deposited in the accounts of the following  
6 agencies for fiscal year 2012 based upon the exact dollar amounts in the following chart (FY12  
7 Deposit):

<b>Fund</b>	<b>Agency Title</b>	<b>Agency Fund Title</b>	<b>FY11 Undesignation</b>	<b>FY12 Deposit</b>
6008	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	R-E GUAR. & EDUC. FUND	\$274,782	\$273,780
606	OFFICE OF CHIEF FINANCIAL OFFICER	RECORDER OF DEEDS SURCHARGE	\$1,749,845	\$1,749,845
6108	DC PUBLIC LIBRARY	COPIES AND PRINTING	\$66,008	\$0
6020	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	BOARD OF ENGINEERS FUND	\$396,838	\$396,838
6013	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	BASIC BUSINESS LICENSE FUND	\$652,761	\$652,761
6010	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	OPLA - SPECIAL ACCOUNT	\$777,765	\$587,019
6030	DEPT. OF CONSUMER AND REGULATORY AFFAIRS	GREEN BUILDING FUND	\$963,214	\$0
610	DEPT. OF HOUSING AND COMM. DEVELOPMENT	DHCD UNIFIED FUND	\$1,866,116	\$0
602	DEPT. OF HOUSING AND COMM. DEVELOPMENT	HPAP - REPAY	\$1,953,359	\$573,937
604	DEPT. OF HOUSING AND COMM. DEVELOPMENT	SR CITIZENS HOME REPAIR	\$77,258	\$0
600	DEPARTMENT OF CORRECTIONS	CORRECTIONS TRUSTEE REIMBURSEMENT	\$554,645	\$0
632	DEPARTMENT OF HEALTH	PHARMACY PROTECTION	\$815,788	\$0
643	DEPARTMENT OF HEALTH	BOARD OF MEDICINE	\$3,084,486	\$0
631	DEPARTMENT OF HEALTH CARE FINANCE	MEDICAID COLLECTIONS-3RD PARTY LIABILITY	\$75	\$0
632	DEPARTMENT OF HEALTH CARE FINANCE	BILL OF RIGHTS-(GRIEVANCE & APPEALS)	\$77,713	\$0
634	DISTRICT DEPARTMENT OF THE ENVIRONMENT	SOIL EROSION/SEDIMENT CONTROL	\$1,324,043	\$0

6700	DISTRICT DEPARTMENT OF THE ENVIRONMENT	SUSTAINABLE ENERGY TRUST FUND	\$9,636,217	\$6,833,843
6072	DEPARTMENT OF PUBLIC WORKS	DISTRICT RECYCLE PROGRAM	\$90,612	\$0
6082	DEPARTMENT OF PUBLIC WORKS	SOLID WASTE DISPOSAL FEE FUND	\$309,809	\$0
6591	DEPARTMENT OF PUBLIC WORKS	CLEAN CITY FUND	\$440,574	\$0
6018	ALCOHOLIC BEVERAGE REGULATION ADMIN.	ABC Keg Registration Fees	\$32,318	\$0
2100	DEPART OF INSURANCE, SECURITIES & BANKING	HMO ASSESSMENT	\$237,358	\$237,358
2200	DEPART OF INSURANCE, SECURITIES & BANKING	INSURANCE ASSESSMENT	\$890,263	\$619,581
2200	TAXI CAB COMMISSION	TAXICAB ASSESSMENT ACT	\$53,592	\$8,224
605	OFFICE OF THE ATTORNEY GENERAL	Child Support - Interest Income	\$1,496	\$1,496
604	OFFICE OF THE ATTORNEY GENERAL	Child Support - Reimbursements & Fees	\$21,960	\$21,960
603	OFFICE OF THE ATTORNEY GENERAL	CHILD SPT - TANF/AFDC COLLECTIONS	\$2,323,131	\$446,908
611	DEPARTMENT OF EMPLOYMENT SERVICES	WORKERS' COMPENSATION ADMIN.	\$3,819,914	\$3,819,914
631	OFFICE OF PEOPLE'S COUNSEL	ADVOCATE FOR CONSUMERS	\$100,870	\$0
632	DEPUTY MAYOR FOR ECONOMIC DEVELOPMENT	AWC & NCRC DEVELOPMENT (ED SPECIAL ACCT)	\$1,750,000	\$0
7278	METROPOLITAN POLICE DEPARTMENT	ASSET FORFEITURE	\$753,088	\$753,088
603	DEPARTMENT OF HUMAN SERVICES	SSI PAYBACK	\$2,417,706	\$0
1460	DEPARTMENT OF REAL ESTATE SERVICES	EASTERN MARKET ENTERPRISE FUND	\$111,745	\$111,745
2001	OFFICE OF MUNICIPAL PLANNING	HIST. LANDMARK & HIST. DIST. FILING FEES	\$27,100	\$17,100
612	DEPARTMENT OF EMPLOYMENT SERVICES	U. I. INTEREST/PENALTIES	\$521,030	\$521,030
624	DEPARTMENT OF EMPLOYMENT SERVICES	UI ADMINISTRATIVE ASSESSMENT	\$1,116,780	\$0
600	OFFICE OF CABLE TV	CABLE FRANCHISE FEES	\$2,343,752	\$500,000
610	STATE SUPERINTENDENT OF EDUCATION (OSSE)	CHARTER SCHOOL CREDIT ENHANCEMENT FUND	\$5,651,166	\$5,651,166
6140	DEPARTMENT OF TRANSPORTATION	TREE FUND (EST DC ACT 14-614)	\$68,499	\$68,499
6400	DISTRICT DEPARTMENT OF THE ENVIRONMENT	DC MUNICIPAL AGGREGATION PROGRAM	\$135,569	\$0

670	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ANACOSTIA RIVER CLEAN UP FUND	\$291,197	\$0
662	DISTRICT DEPARTMENT OF THE ENVIRONMENT	RENEWABLE ENERGY DEVELOPMENT FUND	\$457,601	\$0
6800	DISTRICT DEPARTMENT OF THE ENVIRONMENT	ENERGY ASSISTANCE TRUST FUND	\$3,538,629	\$0
6017	ALCOHOLIC BEVERAGE REGULATION ADMIN.	ABC - IMPORT AND CLASS LICENSE FEES	\$2,470,286	\$2,190,973
1240	MEDICAL LIABILITY CAPTIVE INS AGENCY	CAPTIVE INSURANCE FUND	\$2,340,449	\$0
<b>TOTAL</b>			<b>\$56,587,407</b>	<b>\$26,037,065</b>

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**TITLE IX. CAPITAL BUDGET**

**SUBTITLE A. DDOT CAPITAL PROJECT REVIEW AND RECONCILIATION**

Sec. 901. Short title.

This subtitle may be cited as the “District Department of Transportation Capital Project Review and Reconciliation Act of 2012”.

Sec. 902. Definitions.

For purposes of this act, 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) that endeavors to preserve, maintain, repair or replace the District’s sidewalks, curbs and local roads.

(4) “Inactive” means that no non-personal service funds have been obligated or expended for the capital project during the preceding calendar months.

Sec. 903. 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 it:

3 (1) Has obligated or expended funds in excess of its approved budget; or

4 (2) Has been inactive for 12 months or more.

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 it:

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. 904. Use of funds resulting from closure.

19 (a) Funds resulting from the closure of capital projects pursuant to section 3(a) shall be  
20 allocated equally among the Local Streets Ward-based capital projects.

21 (b) Funds resulting from the closure of capital projects pursuant to section 3(b) shall be  
22 allocated to the FHWA capital projects approved for the current Fiscal Year as part of that year's  
23 Budget Request Act of 2011

1           Sec. 905. Quarterly summary.

2           The CFO shall submit to the Mayor and the Council a quarterly summary of all capital  
3 project closures conducted pursuant to this act.

4           **SUBTITLE B. CAPITAL BUDGET REPORTING REQUIREMENTS**

5           Sec. 911. Short title.

6           This subtitle may be cited as the “Capital Budget Reporting Requirements Act of 2012”.

7           Sec. 912. Beginning October 1, 2012, the Mayor shall submit to the Council, on a  
8 quarterly basis, a report certified by the Chief Financial Officer of the District of Columbia that  
9 provides the lists of the projects or accounts to which any budget obligations or cash  
10 expenditures have been charged or reclassified, under the Office of Contracting and  
11 Procurement’s Article 3 provision for emergency approval of expenditures for the District  
12 Department of Transportation. The quarterly reports shall include documentation of sufficient  
13 capital budget to support the obligations or expenditures.

14           **SUBTITLE C. CAPITAL BUDGET AUTHORITY TRANSFER**

15           Sec. 921. Short title.

16           This subtitle may be cited as the “Capital Budget Authority Transfer Act of 2012”.

17           Sec. 922. The following capital budget adjustments shall be made:

18           (a) Reduce current budget authority and allotment for the following:

19                     Project AW000 – South Capitol Street Corridor

20                     Fund detail 0320 – \$1,716,314

21                     Fund Detail 0350 - \$6,085,114

22                     Project TOP00 – Transit Operations and Dedicated Facilities

23                     Fund Detail 0320 – \$187,220

1 Fund Detail 0350 – \$663,780

2 (b) Increase budget authority and allotment for the following:

3 Project HTF00 – 11<sup>th</sup> Street Bridge

4 Fund Detail 0320 – \$1,903,534

5 Fund Detail 0350 - \$6,748,894

6 **SUBTITLE D. FY 2010 CAPITAL PROJECT REALLOCATION APPROVAL**

7 Sec. 931. Short title.

8 This subtitle may be cited as the "Fiscal Year 2010 Capital Project Reallocation Approval  
9 Resolution of 2012".

10 Sec. 932. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of  
11 Columbia Official Code, the Council approves the reallocation of District of Columbia general  
12 obligation bond proceeds in the amount of \$20,996,442 currently allocated to the District capital  
13 projects listed in Table A to the District capital projects, in the amounts specified, listed in Table  
14 B.

15 (b) The current allocations were made pursuant to the Fiscal Year 2000 General  
16 Obligation Bond Issuance Authorization Emergency Resolution of 2000 (PR-13-658), the Fiscal  
17 Year 2001 General Obligation Bond Issuance Authorization Resolution of 2001 (PR-14-224), the  
18 Fiscal Year 2002 General Obligation Bond Issuance Authorization Emergency Resolution of  
19 2002 (PR-14-585), the Fiscal Year 2003 General Obligation Bond Issuance Approval Resolution  
20 of 2003 (PR-15-129), the Fiscal Year 2004 General Obligation Bond Issuance Approval  
21 Emergency Resolution of 2003 (PR-15-364), the Fiscal Year 2005 General Obligation Bond  
22 Issuance Approval Resolution of 2004 (PR-15-715), the Fiscal Year 2006 General Obligation  
23 Bond Issuance Approval Emergency Resolution of 2005 (PR-16-356), the Fiscal Year 2007

- 1 General Obligation Bond Issuance Approval Resolution of 2007 (PR-17-144), and the Fiscal  
 2 Year 2008 General Obligation Bond Issuance Approval Resolution of 2007 (PR-17-415).

3 **TABLE A**  
 4 **CAPITAL PROJECTS TO WHICH BOND PROCEEDS ARE CURRENTLY ALLOCATED**

Agency	Project	Implementing Agency	Project Title	Bond Issuance Series	Amount
DCPS	MG6	DGS	MONTGOMERY/KIPP EDU. CTR	2007A	394,303
DCPS	NA6	DGS	BALLOU SH	2007C	70,830
DCPS	NB2	DGS	BELL LINCOLN HIGH	2007C	48,825
DCPS	NB4	DGS	BIRNEY ELEMENTARY	2002A,2004A,B,C	54,001
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	2004A,B,C	154

			CENTRALDETENTION CENTER		
DPR	QBS	DGS	GORGETOWN POOL & REC CENTER	2003B,C,D	26
DPR	QD1	DGS	CAMP RIVERVIEW REC FACILITY	2004A,B,C	613,072
DPW	FM1	DPW	FACILITY RENOVATION – DPW	2003B,C,D	13,500
DPW	SW4	DPW	SOLID WASTE MANAGEMENT	2004A,B,C	4
FEMS	FTS	FEMS	FIRE TRAINING SIMULATOR	2001C	401,206
FEMS	LA1	DGS	ENGINE 1 COMPLETE RENOVATION	2004A,B,C & 2005A	249,164
FEMS	LA7	DGS	E-7/FLEET MAINTENANCE	2005A	8,896
FEMS	LB3	DGS	ENGINE 12 COMPLETE RENOVATION	2001C,2007C	551
FEMS	LB6	DGS	ENGINE 15 COMPLETE RENOVATION	2004A,B,C & 2005A	370,526
FEMS	LD1	DGS	ENGINE 28 COMPLETE RENOVATION	2003B,C,D	238,190
FEMS	LD2	DGS	ENGINE 29 COMPLETE RENOVATION	2004A,B,C & 2005A	1,064,988
FEMS	LE3	DGS	ENGINE 5 COMPLETE RENOVATION	2004A,B,C	18,737
FEMS	LE5	DGS	ENGINE 14 COMPLETE RENOVATION	2004A,B,C	220,987
FEMS	LE7	DGS	ENGINE 27 COMPLETE RENOVATION	2004A,B,C	306,173
FEMS	LF3	FEMS	FLEET MAINTENANCE	2004A,B,C	219,878
MPD	DP6	MPD	POLICE COMPUTERS	2007C	1,630
OCA	SM4	OCA	HOMELESS NO MORE	2008E	522,570
OCP	MMS	OCP	PMIS ENHANCEMENT	2001C	4,181
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>

**TITLE X. ADDITIONAL REVENUE CONTINGENCY LIST**

**SUBTITLE A. REVISED REVENUE ESTIMATE CONTINGENCY PRIORITY**

1 **LIST**

2 Sec. 1001. Short title.

3 This subtitle may be cited as the “Revised Revenue Estimate Contingency Priority List of  
4 2012”.

5 Sec. 1002. (a). If, pursuant to the Fiscal Year 2013 Budget Request Act of 2012, local  
6 revenues are certified, in the three remaining 2012 revenue estimates, that exceed the annual  
7 revenue estimate incorporated in the approved budget and financial plan for this fiscal year, the  
8 revenues deposited in the Operating Cash Reserve shall be allocated in the following priority:

9 (1) Department of Human Services - \$7,000,000 to increase local funds for  
10 homeless services to cover the loss of federal block grant carryover funds;

11 (2) Department of Human Services - \$14,700,000 to increase TANF job program  
12 to universality;

13 (3) Department of Healthcare Finance - \$23,025,374 for Alliance benefit  
14 restructuring and moving to primary and preventative care only for 20,000 beneficiaries;

15 (4) D.C. Housing Authority - \$19,969,048 to designate the Housing Production  
16 Trust Fund for the Local Rent Supplemental Program;

17 (5) Deputy Mayor for Public Safety and Justice/Office of Victims Services -  
18 \$2,584,000 for Emergency and Transitional Housing, the restoration of the cut to core services,  
19 and to fund the Lethality Program;

20 (6) General Fund Revenue - \$1,100,000 to repeal the tax on out-of-state municipal  
21 bonds;

22 (7) Office of the State Superintendent of Education - \$8,550,000 for increasing  
23 infant and toddler services/early intervention slots by 925;

- 1 (8) Office of the State Superintendent of Education - \$5,000,000 for special  
2 education improvement, compliance, and capacity building (11 FTEs);
- 3 (9) 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 (10) Department of Housing and Community Development - \$2,900,000 to  
7 double local funding for the Home Purchase Assistance Program;
- 8 (11) Department of Mental Health - \$1,900,000 for school based mental health  
9 staff;
- 10 (12) General Fund Revenue - \$10,000,000 to reduce the commercial property tax  
11 rate on the first \$3 million of assessed value from \$1.65 to \$1.55 per \$100 of assessed value;
- 12 (13) Department of Human Services - \$2,400,500 to increase local funds for  
13 homeless services to cover contractually mandated costs increases;
- 14 (14) University of the District of Columbia - \$6,473,766 to provide funding for  
15 the Community College of the District of Columbia;
- 16 (15) University of the District of Columbia - \$3,000,000 to provide full funding  
17 requested by the University of the District of Columbia for early out;
- 18 (16) Department of Housing and Community Development - \$1,384,987 for the  
19 Small Business Technical Assistance Program;
- 20 (17) Office of Planning - \$1,500,000 for the Ward 8 Pilot budget challenge;
- 21 (18) D.C. Public Library - \$1,000,000 for the restoration of materials/acquisition  
22 budget;
- 23 (19) Department of Corrections - \$300,000 for Career Ladder promotions;

- 1 (20) Fire and Emergency Medical Services - \$540,000 to expand Fire Cadet  
2 program;
- 3 (21) District Department of the Environment - \$1,000,000 for the sustainable D.C.  
4 Pilot;
- 5 (22) D.C. Commission on Arts and Humanities – \$3,000,000 increased funding  
6 for the arts;
- 7 (23) Office on Aging - \$76,874 to increase one FTE for the Senior Villages  
8 coordinator;
- 9 (24) Deputy Mayor for Planning and Economic Development - \$1,000,000 for  
10 Destination DC/Events DC pilot advertising and marketing; and
- 11 (25) D.C. Department of Human Resources - \$320,000 to restore the Capital City  
12 Fellows Program (5 FTEs).

13 (b) The District of Columbia may obligate and expend any increase in the amount of  
14 funds authorized by this section only if the Chief Financial Officer certifies the increase in  
15 revenue and certifies that the use of the amounts is not anticipated to have a negative impact on  
16 the long-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 (4), (10), (15), (17), (18), (22), and  
19 (24), these initiatives shall be funded in FY 2013, as one-time only, to the extent that funds have  
20 been certified.

21 **TITLE XI. FISCAL IMPACT AND EFFECTIVE DATE**

22 Sec. 1101. Fiscal impact statement.

1           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
2 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
3 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

4           Sec. 1102. Effective date.

5           This act shall take effect following approval by the Mayor (or in the event of veto by the  
6 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
7 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
8 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
9 Register.