

AMENDMENT IN THE NATURE OF A SUBSTITUTE – DRAFT
FY 2016 Budget Support Clarification Temporary Amendment Act of 2015
November 3, 2015

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A BILL

21-396

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Fiscal Year 2016 Budget Support Act of 2015 and various other acts to clarify provisions supporting the Fiscal Year 2016 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015”.

Sec. 2. The Fiscal Year 2016 Budget Support Act of 2015, enacted on August 11, 2015 (D.C. Act 21-148; 62 DCR 10905), is amended as follows:

(a) Section 6004 is repealed.

(b) Section 7024(d) is repealed.

~~(b) Section 7182 is amended by adding a new subsection (d) to read as follows:~~

~~“(d) This subtitle shall apply for tax years beginning after December 31, 2015.”.~~

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33 Sec. 3. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved
34 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by
35 striking the word “permanent”.

36 Sec. ~~34~~. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA
37 Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law
38 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

39 “Sec. 7154. WMATA Operations Support Fund.

40 “(a) There is established as a special fund the WMATA Operating Support Fund
41 (“Fund”), which shall be administered by the Chief Financial Officer in accordance with
42 subsection (c) of this section.

43 “(b) Upon approval of the settlement by the District of Columbia Court of Appeals in
44 *District of Columbia v. Expedia, Inc., et al.*, Nos. 14-CV-308, 14-CV-309, the full amount the
45 District obtains from the settlement, minus the amounts designated for other purposes in
46 sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget
47 Request Emergency Adjustment Act of 2015, passed on emergency basis on September 22,
48 2015 (Enrolled version of Bill 21-343), and the Fiscal Year 2015 and Fiscal Year 2016
49 Revised Budget Request Temporary Adjustment Act of 2015, passed on 1st reading on
50 September 22, 2015 (Engrossed version of Bill 21-344), shall be deposited in the Fund.

51 “(c) The monies in the Fund shall be available to fund extraordinary or unanticipated
52 operating or capital needs of the Washington Metropolitan Area Transit Authority
53 (“WMATA”) that arise outside of WMATA’s regular inter-jurisdictional subsidy allocation
54 formulae.

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55 “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
56 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal
57 year, or at any other time.

58 “(2) Subject to authorization in an approved budget and financial plan, any
59 funds appropriated in the Fund shall be continually available without regard to fiscal year
60 limitation.”.

61 Sec. 5. Section 907 of the Firearms Control Regulations Act of 1975, effective June
62 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07) is amended as follows:

63 (a) Subsections (a)(11) and (12) are amended to read as follows:

64 “(11) The White House Complex and its grounds up to and including to the
65 curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution
66 Avenue, N.W., 15th Street, N.W., H Street N.W., and 17th Street, N.W.;

67 “(12) The U.S. Naval Observatory and its fence line, including the area from
68 the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching
69 the roadway of Observatory Circle, from Calvert Street, N.W. to Massachusetts Avenue,
70 N.W. and around Observatory Circle to the far corner of Observatory Lane;”.

71 (b) Subsection (d)(1) is amended by striking the phrase “While he or she is traveling
72 along a public street, road, or highway, including an adjacent public sidewalk that touches
73 the perimeter of any of the premises where the carrying of a concealed pistol is prohibited
74 under subsection (a) and subsection (b) of this section” and inserting the phrase “While he
75 or she is traveling along a public sidewalk that touches the perimeter of any of the premises
76 where the carrying of a concealed pistol is prohibited under subsection (a) and subsection

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77 (b) of this section, except for the areas designated in subsection (a)(11) and (a)(12), or along
78 a public street, roadway, or highway” in its place.

79 Sec. 46. Section 401 of the Sustainable Solid Waste Management Amendment Act of
80 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03, note), is
81 repealed.

82 Sec. 57. Section 308(d)(1) of the District of Columbia Public Space Rental Act,
83 approved October 17, 1968 (82 Stat. 1156; D.C. Official Code §10-1103.07(d)(1)), is amended
84 by striking the phrase “For periods beginning after June 30, 2015, interest on unpaid vault
85 rent” and inserting the phrase “Beginning September 15, 2015, interest on any unpaid
86 vault rent for any vault year” in its place.

87 Sec. 68. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,
88 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

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

90 (1) Subparagraph (E) is amended by striking the word “or”.

91 (2) Subparagraph (F) is amended by striking the period and inserting the
92 phrase “; or” in its place.

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

94 “(G) A substitute teacher or a substitute aide who is employed by
95 District of Columbia Public Schools for a period of 30 or fewer consecutive work days.”.

96 (b) New paragraphs (9) and (10) are added to read as follows:

97 “(9) “Substitute aide” means an individual who is employed by District of Columbia
98 Public Schools to provide instructional assistance (general, specialized, or concentrated) to
99 students on a temporary basis when the regular instructional aide is unavailable. The term

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100 “substitute aide” does not include an individual employed by District of Columbia Public
101 Schools on a term or full-time assignment.

102 “(10) “Substitute teacher” means an individual who is employed by District of
103 Columbia Public Schools to work as a classroom teacher on a temporary basis when the
104 regular teacher is unavailable. The term “substitute teacher” does not include an
105 individual employed by District of Columbia Public Schools on a term or full-time
106 assignment.”.

107 Sec. 79. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December
108 17, 2014 (D.C. Law 20-142; D.C. Official Code § 32-152, note), is amended to read as follows:

109 “(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.”.

110 Sec. 810. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980
111 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

112 (a) Paragraph (4) is amended by striking the word “outcomes” and inserting the phrase
113 “outcomes as of December 31, 2015,” in its place.

114 (b) A new paragraph (5) is added to read as follows:

115 “(5) For Fiscal Year 2016, the District of Columbia Auditor shall conduct an
116 evaluation of multiple years of the summer youth jobs program to assess whether the program
117 has met and is meeting program objectives.”.

118 Sec. 911. Section 2(h)(2)(A) of the School Transit Subsidy Act of 1978, effective March
119 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)(2)(A)), is amended by striking the
120 phrase “Under 22 years of age” and inserting the phrase “A resident of the District of
121 Columbia under 22 years of age” in its place.

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122 Sec. 12. Section 47-355.07 of the District of Columbia Official Code is amended as
123 follows:

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

125 (1) Subparagraph (A) is amended by striking the phrase “serve at the pleasure
126 of” and inserting the phrase “shall be appointed by” in its place.

127 (2) Subparagraph (B) is amended by striking the phrase “serves at the pleasure
128 of” and inserting the phrase “shall be appointed by” in its place.

129 (3) Subparagraph (D) is amended by striking the phrase “serves at the pleasure
130 of” and inserting the phrase “shall be appointed by” in its place.

131 (b) Subsection (d)(3)(D) is amended by striking the phrase “take or proposed to be
132 taken” and inserting the word “recommended” in its place.

133 (c) New subsection (d-1), (d-2), and (d-3) are added to read as follows:

134 “(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of
135 an alleged violation.

136 “(2) In investigating a report of an alleged violation, the Review Board may:

137 “(A) Request assistance from the Office of the Chief Financial Officer,
138 the Office of the Inspector General, and Office of the Attorney General; and

139 “(B) Consult with the Office of the Attorney General for the purposes of
140 obtaining legal advice.

141 “(d-2) The Review Board:

142 “(1) Shall have access, subject to any privileges or confidentiality requirement
143 as provided by law, to all facilities, files, and databases of the District government, including

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144 all files, electronic paper records, reports, documents, and other materials that may relate to
145 the investigation;

146 “(2) May request information or assistance from any District, federal, state, or
147 local government agency as may be necessary for carrying out the investigation; and

148 “(3) May seek information from parties outside the District government,
149 including government contractors, which may be relevant to the investigation.

150 “(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of
151 boards, commissions, and councils of the District government shall cooperate in an
152 investigation by the Review Board and shall: provide documents, materials, and information
153 to the Review Board upon request.

154 “(2) Subject to any applicable privileges, officers, employees, and members of
155 boards, commissions, and councils of the District government shall respond truthfully to all
156 questions posed by the Review Board, and shall not prevent, or prohibit the Review Board
157 from initiating, carrying out, or completing an investigation within its jurisdiction.

158 “(3) The Review Board:

159 “(A) May require any officer, employee, or member of a board,
160 commission, or council of the District government to appear before the Review Board,
161 including the subject of an allegation; and

162 “(B) Shall provide any officer, employee, or member of a board,
163 commission, or council of the District who is potentially subject to disciplinary action an
164 opportunity to appear before the Review Board.

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165 “(4) The Review Board may recommend an appropriate disciplinary action with
166 respect to any officer, employee, or member of a board, commission, or council of the District
167 government who fails to cooperate fully with a Review Board investigation.”.

168 Sec. ~~10~~13. Chapter 13 of Title 47 of the District of Columbia Official Code is amended
169 as follows:

170 (a) Section 47-1341 is amended as follows:

171 (1) Subsection (a)(1) is amended by striking the phrase “, postage prepaid,
172 bearing a postmark from the United States Postal Service,”.

173 (2) Subsection (b-1)(1) is amended by striking the phrase “, postage prepaid,
174 bearing a postmark form the United States Postal Service,”.

175 (b) Section 47-1353.01(a) is amended by striking the phrase “, postage prepaid,
176 bearing a postmark from the United States Postal Service to the last known address of the
177 owner” and inserting the phrase “to the person who last appears as the owner of the real
178 property on the tax roll, at the last address shown on the tax roll, as updated by the filing of
179 a change of address in accordance with § 42-405” in its place.

180 Sec. 14. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
181 follows:

182 (a) The table of contents is amended by striking the phrase “Tax haven updates.” and
183 inserting the phrase “Tax haven updates. (Repealed).” in its place.

184 (b) Section 47-1810.09 is repealed.

185 (c) Section 47-1801.04(49) is amended as follows:

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186 (1) Subparagraph (A) is amended by striking the phrase “means the
187 jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and
188 inserting the phrase “means a jurisdiction that” in its place.

189 (2) Subparagraph (B-i) is repealed.

190 Sec. 15. Section 47-1801.04(11) of the District of Columbia Official Code is amended as
191 follows:

192 (a) Subparagraph (A) is amended by striking the phrase “calendar year beginning
193 January 1, 2011” wherever it appears and inserting the phrase “base year” in its place.

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

195 “(C) For the purposes of this paragraph, the term “base year” shall mean the
196 calendar year beginning January 1, 2011, or the calendar year beginning one calendar year
197 before the calendar year in which the new dollar amount of a deduction or exemption shall
198 become effective, whichever is later.”.

199 Sec. ~~10~~16. Section 6(b) of the Food Policy Council and Director Establishment Act of
200 2014, effective March 10, 2015 (D.C Law 20-191; D.C. Official Code § 48-314, note), is
201 amended to read as follows:

202 “(b) Section 5 shall apply as of October 1, 2015.”.

203 Sec. 17. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective
204 October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 50-_____), is amended by striking
205 the phrase “violation of” and inserting the phrase “violation, to be adjudicated pursuant to”
206 in its place.

207 Sec. 18. Chapter 24 of Title 18 of the District of Columbia Municipal Regulations (18
208 DCMR § 2400 *et seq.*) is amended as follows:

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209 (a) Section 2404.15 is amended to read as follows:

210 “2404.15. Except as provided in § 2424, the rates for parking meters in the

211 “Premium Demand Parking Meter Rate Zones” shall be as follows:

212 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces ; and

213 “(b) Fifty cents (50¢) for thirteen minutes (13 min.) for motorcycle size spaces.”.

214 (b) Section 2404.17 is amended to read as follows:

215 “2404.17. Except as provided in § 2424, the rates for parking meters in the “Normal

216 Demand Parking Meter Rate Zone” shall be as follows:

217 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces ; and

218 “(b) Fifty cents (50¢) for thirteen minutes (13 min.) for motorcycle size spaces.”.

219 Sec. ~~11~~19. Fiscal impact statement.

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

223 Sec. ~~12~~20. Effective date.

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

229 (b) This act shall expire after 225 days of its having taken effect.