

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers
FROM: Chairman Phil Mendelson
Committee of the Whole
DATE: May 15, 2018
SUBJECT: Report on Bill 22-753, the “Fiscal Year 2019 Budget Support Act of 2018”

The Committee of the Whole, to which Bill 22-753 was referred, reports favorably thereon with amendments and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of Bill 22-753, the Fiscal Year 2019 Budget Support Act of 2018 (“FY 2019 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2019 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 22-753 is available in the various committee budget reports. The committee print attached to this report contains FY 2019 BSA subtitles as recommended by the Committee of the Whole based on recommendations and feedback from the various Council committees. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations are an important part of the performance and budget review process by the Council. The Committee of the Whole expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

II. LEGISLATIVE CHRONOLOGY

March 2, 2018	Notice of public hearings on the proposed Fiscal Year 2019 Budget and Financial Plan is published in the <i>District of Columbia Register</i> (updates to the schedule of budget oversight hearings published March 9, March 23, April 20, and April 27)
March 21, 2018	Bill 22-753, the “Fiscal Year 2019 Budget Support Act of 2018” is introduced by Chairman Mendelson at the request of the Mayor
March 23, 2018	Committee of the Whole holds a public briefing on the Mayor’s Fiscal Year 2019 Proposed Budget and Financial Plan
March 30, 2018	Notice of Intent to Act on Bill 22-753 is published in the <i>District of Columbia Register</i>
April 10, 2018	Bill 22-753 is “read” at the April 10, 2018 Regular Legislative Meeting and referred to the Committee of the Whole with comments on specific subtitles from the Council’s standing committees.
March 26 – April 26, 2018	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2019 Budget Support Act of 2018 that were referred to each for comments
April 27, 2018	Committee of the Whole holds a public hearing on Bill 22-753, Bill 22-754, and Bill 22-755
May 2 – 4, 2018	Committees mark up and approve their budget recommendations for Fiscal Year 2019
May 15, 2018	The Committee of the Whole marks up Bill 22-753

III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 22-753 on behalf of the Mayor. On April 26, 2018, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 22-753 and related budget documents. The errata letter is included in the attachments to this report.

At the April 27, 2018 hearing on Bill 22-753, City Administrator Rashad Young presented testimony on behalf of the Mayor. His statement is included as part of the hearing record.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on Bill 22-753.

V. LIST OF WITNESSES¹

The Committee of the Whole held a public hearing on Bill 22-753 and other budget-related legislation on April 27, 2018.² The witnesses were:

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| 1. | Lori Kaplan | President & CEO, Latin American Youth Center |
| 2. | Nechama Masliansky | Senior Advisor, SOME Inc. |
| 3. | Holly Seibold | Bring Resources to Aid Women's Shelters (BRAWS) |
| 4. | Charles Moreland | Bring Resources to Aid Women's Shelters (BRAWS) |
| 5. | Sneha Mody | Bring Resources to Aid Women's Shelters (BRAWS) |
| 6. | Christian Cooper | Bring Resources to Aid Women's Shelters (BRAWS) |
| 7. | David Alpert | Executive Director, DC Sustainable Transportation |
| 8. | David Schwartzman | DC Statehood Green Party |
| 9. | Robert P. Bremner | Chairman, Board of Directors, Humanities DC |
| 10. | Joyce Wellman | Member, Board of Directors, Humanities DC |
| 11. | Mia Graves | Richard Wright Public Charter School |
| 12. | Thomas Kent | Richard Wright Public Charter School |
| 13. | Kendall Parks | Richard Wright Public Charter School |
| 14. | Ashley Gorczyca | Advocacy Specialist, Miriam's Kitchen |
| 15. | Jesse Rabinowitz | Advocacy Specialist, Miriam's Kitchen |
| 16. | Andrei Greenwalt | Vice President for Public Policy, Via |
| 17. | Nick Zabriskie | Public Policy Manager, Uber |
| 18. | Sylvester Bush | Coalition to Restore DC Pension Benefit |
| 19. | Amber Harding | Attorney, Washington Legal Clinic for the Homeless |
| 20. | Laura Richards (not present) | Penn Branch Citizens Civic Association (testimony read by Sylvester Bush) |
| 21. | Dawn Dalton | Policy Director, DC Coalition Against Domestic Violence (on behalf of Executive Director Karma Cottman) |
| 22. | Kerry Savage | Policy Analyst, Parents Amplifying Voices in Education (PAVE) |
| 23. | Damon King | Senior Policy Advocate, Legal Aid Society of the District of Columbia |
| 24. | Christopher Suranna | DC Association of Realtors |
| 25. | Mercedes Lemp | Director, My Sister's Place |
| 26. | Margaret HacsKaylo | CEO, District Alliance for Safe Housing (DASH) |
| 27. | Funsho Owolabi | Senior Public Policy Manager, Lyft |

¹ Note: Written testimony and comments are filed with the record for Bill 22-754.

² All of the Council's committees held hearings between March 26 and April 26, 2018, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the Fiscal Year 2019 Local Budget Act.

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| 28. | Anthony Thomas | Public Witness |
| 29. | Djuana Turner | Public Witness |
| 30. | Monica Kamen | DC Fair Budget Coalition |
| 31. | Dan Mauer | Jews United for Justice |
| 32. | Sequnely Gray | Project Coordinator, DC Jobs with Justice |
| 33. | Christie Respress | Executive Director, Pathways to Housing DC |
| 34. | Matthew Fogg | Blacks in Government |
| 35. | Sergei Kostin | Public Witness |
| 36. | Bradford Voegeli | Managing Attorney, Neighborhood Legal Services Program |
| 37. | David Hun | Public Witness |
| 38. | Reginald Black | Interagency Council on Homelessness |
| 39. | Rashad Young | City Administrator, Office of the City Administrator |

VI. IMPACT ON EXISTING LAW

Bill 22-753 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *infra*.

VII. FISCAL IMPACT

Bill 22-753 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the fiscal year 2019 budget. The Council's Budget Director has worked closely with the Office of the Chief Financial Officer to ensure that as a companion to the Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act (Bill 22-756) and the Fiscal Year 2019 Local Budget Act (Bill 22-754), this bill – Bill 22-753 – is fiscally balanced.

VIII. SUBTITLE-BY-SUBTITLE ANALYSIS³

Section 1 States the short title of Bill 22-753.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

Subtitle A. Fair Elections Implementation Amendment Act of 2018: Removes the requirement that the Mayor budget for special elections and contingencies and repeals the subject to appropriations clause; and includes a November 7, 2018 applicability date to make clear that the law will not affect the 2018 election cycle, but rather will take effect for the 2020 election cycle, which begins the day after the November 2018 General Election.

Subtitle B. Procurement Practices Reform Exemption Amendment Act of 2018: Extends the Procurement Practices Reform exemptions for the Health Benefit Exchange, the Captive Insurance Agency, and certain procurements related to permanent supportive housing from September 30, 2018 to September 30, 2023.

Subtitle C. Project Labor Agreements in Construction Procurement Amendment Act of 2018: Clarifies a previously unfunded provision of law requiring inclusion of project labor agreements in construction project solicitations valued at more than \$75 million; and requires the capital improvements plan to include funding adequate to implement a project labor agreement in such projects.

Subtitle D. OPEB Fund Administrative Costs Amendment Act of 2018: Creates a new agency-level budget chapter to account for expenses of the Chief Financial Officer to administer the Other Post-Employment Benefits Trust Fund; and allows such expenses to be paid out of such Fund rather than the General Fund.

Subtitle E. Street Harassment Prevention Act of 2018: Establishes an advisory committee on street harassment, composed of 17 members from District agencies and the community; establishes the advisory committee structure and meeting requirements; requires the Office of Human Rights (OHR) to conduct a survey on street harassment no later than April 1, 2019; requires the advisory committee to submit a report proposing model policies and training materials to be used by District agencies to prevent street harassment; requires District agencies to implement model policies; requires OHR to monitor District agencies for compliance with the recommendations; and requires OHR to conduct a public information campaign about street harassment no later than September 30, 2019.⁴

Subtitle F. Voter Registration Amendment Act of 2018: Adds the DC Public Library and the DC Public Schools (DCPS) to the statutory list of voter registration agencies, provided,

³ Due to the size and complexity of the committee print of Bill 22-753, and in keeping with standard Council practice and Council Rule 803(j), this part of the report analyzes the legislation by subtitle, rather than by section.

⁴ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-129, the “Street Harassment Prevention Act of 2017.”

that access to DCPS voter registration services will be available only to DCPS students and employees; and requires related reporting by the Board of Elections.⁵

Subtitle G. Advisory Neighborhood Commissions Travel Reimbursement Clarification Amendment Act of 2018: Clarifies that changes made in the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016 entitling Commissioners to travel-related reimbursement does not preclude the continued authority of Advisory Neighborhood Commissions to reimburse Commissioners for non-WMATA business-related transportation expenses.

Subtitle H. Agencies, Boards, and Commissions Jurisdiction Clarification Amendment Act of 2018: Amends the Office of Administrative Hearings Establishment Act to make technical changes related to prior amendments; and makes changes to distinguish between the Commission on Selection and Tenure of Administrative Law Judges and other commissions that come before the Office of Administrative Hearings.

Subtitle I. BEGA Amendment Act of 2018: Changes the name of the Ethics Board to the Board of Ethics and Government Accountability (Board), and makes several technical and conforming edits; modifies the definition of “legislative action” to include any contract, grant, reprogramming, or procurement; makes technical and conforming changes to the titles of the Director of Government Ethics and the Director of Open Government; establishes within the Board and Office of Government Ethics and an Office of Open Government, each with a Director who must be a District resident and who reports directly to the Board; sets out the duties of the Director of Open Government; renames the Ethics Fund; establishes the Open Government Fund; increases lobbyist reporting to quarterly and requires the reporting to include specific information, including a precise description of the subject matter for each lobbying interaction; and requires the Board to make lobbyist reports public and sortable.

Subtitle J. Use of Public Buildings By Civic Associations Act of 2018: Allows civic associations to use a public-school building for a regular scheduled meeting at no charge, provided that the outside use does not impose a cost on the District, except for the costs of custodial and security services; and defines terms.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

Subtitle A. Supermarket Tax Incentive Technical Amendment Act of 2018: Clarifies that once a supermarket is certified eligible for the tax exemption by the Deputy Mayor for Planning and Economic Development (DMPED), it remains eligible throughout the 10-year abatement period, even if the United States Small Business Administration changes the boundaries for the Historically Underutilized Business Zone away from the supermarket’s location.

Subtitle B. Neighborhood Prosperity Initiative Act of 2018: Establishes a permanent version of the Neighborhood Prosperity Initiative pilot program; authorizes the Mayor to issue competitive grants to eligible mixed-use developments in low-income communities that are ready

⁵ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-345, the “Voter Registration Agency Amendment Act of 2017.”

to commence construction within 18 months of the grant but have a gap in funding only for the commercial component of the project; requires project developers to enter into a First Source agreement and a Certified Business Enterprise agreement, and offer an apprenticeship program, if applicable.

Subtitle C. Deputy Mayor for Planning and Economic Development Grant-Making Authority Amendment Act of 2018: Extends DMPED's grant making authority to provide grants in support of the Great Streets Initiative, redevelopment projects at St. Elizabeths East Campus Redevelopment Site, and redevelopment of the Walter Reed Redevelopment Site.

Subtitle D. Walter Reed Grant-Making Authority Amendment Act of 2018: Amends the Walter Reed Redevelopment Fund, which was established to support the maintenance, operation, and construction activities at the Walter Reed Redevelopment Site, to remove the limitation that DMPED could only issue grants from the Fund to the developer. Although this broadens the recipients of the grant, the uses remain the same.

Subtitle E. Administration of the District of Columbia Jobs Trust Fund Amendment Act of 2018: Transfers administration of the District of Columbia Jobs Trust Fund, which is used for the Workforce Intermediary Pilot run by the Workforce Investment Council, from DMPED to the Department of Employment Services (DOES).

Subtitle F. Extended Hours for On-Premises Alcoholic Beverage Sales on Certain Holidays and Weekends Amendment Act of 2018: Authorizes on-premises alcoholic beverage retailers to remain open longer on four additional holiday weekends: Saturday and Sunday before Columbus Day, Washington's Birthday, Martin Luther King Jr.'s Birthday, and the Friday, Saturday, and Sunday following Thanksgiving.

Subtitle G. Expedited Building Permit Review Fund Amendment Act of 2018: Establishes a new Special Purpose Revenue fund within the Department of Consumer and Regulatory Affairs (DCRA) in which revenues from fees from the new accelerated permit review program for building permit applications will be deposited; directs use of the funds to pay the costs of the review program; and directs any funds exceeding program costs to the General Fund.

Subtitle H. Arts and Humanities License Plates Amendment Act of 2018: Authorizes the Mayor to issue new motor vehicle identification tags (license plates) for arts and humanities; requires the Commission on Arts and Humanities (CAH) to propose designs for the license plates; permits CAH to solicit public feedback; requires a resident to pay a one-time application and annual display fee in order to display the license plate; and requires that fees collected from the one-time application and annual display fee be deposited into the Arts and Humanities Enterprise Fund.

Subtitle I. Omnibus Operator Assessment Elimination Act of 2018: Eliminates the statutory requirement for an annual \$50 taxicab operator license fee; the Department of For-Hire Vehicles currently includes a \$50 license fee within the total \$250 operator licensing fee it charges.

Subtitle J. Local Rent Supplement Program Amendment Act of 2018: Allows Local Rent Supplement Program (LRSP) funds allocated for project-based or sponsor-based voucher

assistance to be used to cover costs of a security deposit or application fee for a housing unit supported by the grant program; and allows funds for tenant-based assistance to be used to assist in paying for security deposits and application fees for units leased under the District of Columbia Housing Authority's Housing Choice voucher program.

Subtitle K. African-American Civil War Museum Grant Implementation Act of 2018: Authorizes DMPED to issue a grant up to \$500,000 in Fiscal Year 2018 to the museum to redevelop its space; exempts the grant from competitive bidding and notice requirements; and includes retroactive applicability to July 1, 2018. Funds for this grant were included in the Fiscal Year 2018 budget.

Subtitle L. Non-Health Professional Licensing Fees Amendment Act of 2018: Ratifies license fees currently being collected by DCRA for elevator inspectors, mechanics, and contractors; tour guides; and body artists; ratifies fees for body artist licenses that have been collected since October 1, 2012 and waives the fees that have not been collected as of October 1, 2018; ratifies fees for tour guide and referenced elevator licenses that have been collected since May 1, 2004 and waives the fees that have not been collected by October 1, 2018.

Subtitle M. Retail Priority Area Amendment Act of 2018: Expands the boundaries of both the Rhode Island Avenue, N.E., retail priority area and the New York Avenue, N.E. retail priority area.

Subtitle N. Labor Law Enforcement Authority Clarification Amendment Act of 2018: Clarifies that the Mayor has the authority to conduct investigations of wage and hour violations under the wage thefts laws under the Mayor's own initiative and discretion, in addition to investigations initiated by complaints filed with the enforcing agency. The subtitle also clarifies that the Mayor has the authority to conduct investigations of any wage and hour violations through means such as inspecting employer records and conducting witness interviews.

Subtitle O. Marion S. Barry Summer Youth Employment Program Participant Raise Amendment Act of 2018: Amends the wage language for the 16-21-year-old participants of the Marion S. Barry Summer Youth Employment Program that mirrors the existing language for the 14-15 cohort. Previously, the language stated that this cohort "shall be compensated at an hourly rate of \$8.25"; with this amendment, the language reads "shall be compensated at an hourly rate of not less than \$8.25", which provides the Mayor with the authority to pay higher wages if funds are available.

Subtitle P. DC Central Kitchen Grants Amendment Act of 2018: Directs the Workforce Investment Council to award a grant of \$1,000,000 to the D.C. Central Kitchen for the purchase or build-out of a new facility providing culinary training and community nutrition programming.

Subtitle Q. Eastern Market Competitive Grant Act of 2018: Provides DMPED with grant-making authority and directs DMPED to issue a grant, not to exceed \$300,000, to conduct a comprehensive study of and strategic plan for the development of Eastern Market, including recommendations for the management and marketing of Eastern Market.

Subtitle R. Minority and Women-Owned Business Assessment Amendment Act of 2018: Amends existing reporting requirements to include an annual submission deadline and to change the named standing committee to “committee with oversight of the Department of Small and Local Business Development”; requires the Department to award a grant not to exceed \$200,000 to conduct a disparity study to determine whether minority and women-owned businesses face discrimination in contracting and procurement in the District.

Subtitle S. Living Wage Certification Grant Program Amendment Act of 2018: Establishes the Living Wage Certification Grant Program within the Department of Small and Local Business Development (DSLBD) to be administered by a nonprofit organization grantee; the program shall certify any District employer that pays its employees a living wage; establishes guidelines for the creation of the program; and sets parameters for employers who are eligible to participate.

Subtitle T. Rental Assistance for Unsubsidized Seniors Amendment Act of 2018: Establishes a new program at the District of Columbia Housing Authority (DCHA), the Rental Assistance for Unsubsidized Seniors Program, to provide partial rental housing subsidies to senior-headed households who are paying more than 30% of their monthly income in rental housing costs, who are not otherwise receiving local or federal rental housing subsidies, and who make 60% of AMI or less. The subtitle also establishes the Tenant-Based Assistance Fund, which will receive funding through the rental unit fee increase provided in Subtitle II-W. Rental Unit Fee Adjustment Amendment Act of 2018, which will fund the Rental Assistance for Unsubsidized Seniors Program.⁶

Subtitle U. Housing Production Trust Fund Advanced Solicitation Amendment Act of 2018: Directs DHCD to create and maintain a publicly available database providing detailed information about the loans made from the Housing Production Trust Fund; and allows DHCD to solicit proposals for projects for the following year, relying only on certified dedicated tax revenues that are not otherwise committed. The subtitle expressly states DHCD may not enter into any funding commitments until the fiscal year in which the funds are available and appropriated.⁷

Subtitle V. Reverse Mortgage Foreclosure Prevention Act of 2018: Creates a pilot program at DCHA for qualified homeowners facing foreclosure due to unpaid property taxes and insurance on their reverse mortgage; directs DCHA to record a lien on the subject property in the amount of the financial assistance, subordinate to the reverse mortgage lender; caps the assistance at \$25,000 per homeowner; and sets the maximum Fiscal Year 2019 allocation for the program at \$500,000.⁸

Subtitle W. Rental Unit Fee Adjustment Amendment Act of 2018: Increases the rental unit fee by \$5, from \$25 per unit to \$30 per unit and directs the additional \$5 to the Tenant-Based

⁶ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-611, the “Housing Assistance Program for Unsubsidized Seniors Act of 2018.”

⁷ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-316, the “Housing Production Trust Fund Advanced Solicitations Amendment Act of 2017.”

⁸ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-505, the “Reverse Mortgage Foreclosure Prevention Act of 2017.”

Assistance Fund, which is established in Subtitle II-T, the Rental Assistance for Unsubsidized Seniors Amendment Act of 2018.

Subtitle X. Common Interest Community Repairs Funding Act of 2018: Establishes a program at the Department of Housing and Community Development (DHCD) called the Common Interest Communities Grant Program and sets how the DHCD will administer the program. The subtitle also sets forth that the program shall provide non-taxable grants up to \$100,000 to income-eligible common interest communities, such as condominiums and cooperatives, to make repairs to common elements including plumbing, electrical systems, roofs, entrance security. The subtitle also requires that, where applicable, repairs funded through the grant program fulfill or exceed Green Communities environmental standards.⁹

Subtitle Y. Affordable Housing Priorities Amendment Act of 2018: Directs the revenue from sale of abandoned and deteriorated properties disposed of by DHCD to the DHCD Unified Fund; directs those funds to be used in Fiscal Year 2019 for specified purposes in order of priority: (1) \$125,000 for Unified Fund purposes; (2) \$5,000,000, as needed, to repay the Fiscal Year 2018 contingency cash withdrawal by the Mayor to fund the Home Purchase Assistance Program; (3) \$2,500,000 for the Common Interest Communities Grant Program, established in Subtitle II-X; (4) \$1,000,000 for the DCHA Rehabilitation and Maintenance Fund; (5) \$1,000,000 for the Emergency Rental Assistance Program administered by the Department of Human Services; with any remainder going back to the Unified Fund.

Subtitle Z. Disposal of Abandoned and Deteriorated Property Amendment Act of 2018: Under current law, the Mayor has the authority to acquire property that have been neglected by its owners and fallen into deteriorated and derelict conditions; once that property has been acquired by the District, the Mayor may dispose of it only after a public hearing and a 60-day period of review is completed by the Council. This subtitle removes the requirement to complete both a public hearing and to require Council review before a District-owned property is disposed; with this change, the Mayor need only satisfy one of the options, not both.

Subtitle AA. Securities and Banking Regulatory Trust Fund Amendment Act of 2018: Amends the Securities and Banking Regulation Establishment Act of 1996 to direct that of the license, registration, and other fee revenues dedicated to the Fund, a total of \$12.3 million shall be converted to local funds revenue for Fiscal Year 2018 and a total of \$11.1 million for each fiscal year thereafter, contingent upon availability of excess revenues; and directs the remainder of those revenues shall remain in the Fund to finance the operations of the Department of Insurance, Securities and Banking.

Subtitle BB. Security Officer Wage Amendment Act of 2018: Clarifies that every July 1, employers of security officers shall ensure that the wages, or combination of wages and benefits, that they pay to their employees equals or is more than the minimum wage and fringe benefit rate, as set by the U.S. Department of Labor (DOL) for guard 1 classification as of September 1 of the preceding year. Currently, the law requires that security officers shall be paid a wage, or combination of wages and benefits, not less than the minimum wage and fringe benefit rate set by DOL for guard 1 classification; however, as DOL changes the guard 1

⁹ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-273, the “Common Interest Community Repairs Funding Amendment Act of 2018.”

classification rate erratically, there are years where the rate changes two or three times a year and years where no change happens. This subtitle is necessary to provide more consistency.

TITLE III. PUBLIC SAFETY AND JUSTICE

Subtitle A. Criminal Code Reform Commission Term Extension Act of 2018: Delays the submission of the Commission’s comprehensive criminal code reform recommendations to the Council and Mayor to April 1, 2019, rather than October 1, 2018; and moves the Commission’s sunset date from October 1, 2018 to October 1, 2019.

Subtitle B. Retired Police Officer Redeployment Program Amendment Act of 2018: Advances the original sunset provision from October 12, 2019 to October 1, 2019 to align with the fiscal year calendar; allows any retired officers rehired before October 1, 2019 to be paid under the expanded pay authority for up to three years from the date of rehire.

Subtitle C. Emergency and Non-Emergency Number Telephone Calling Systems Fund Amendment Act of 2018: Broadens the agency’s authority to use the Fund for personnel, technology hardware, software and software maintenance, contractual support, outreach, training, supplies, and equipment costs; and removes the quarterly reporting requirement on the Office of the Chief Financial Officer.

Subtitle D. Neighborhood Engagement Achieves Results Amendment Act of 2018: Transfers a portion of the Department of Parks and Recreation’s Roving Leaders Program to the Office of Neighborhood Safety and Engagement (ONSE); and changes the required monthly report to the Council on the Private Security Camera System Incentive Program to annual reporting, with a monthly online component.

Subtitle E. Clemency Board Establishment Act of 2018: Creates a Clemency Board within OAG to facilitate clemency applications to the President of the United States. Current law requires individuals to apply directly to the President through the federal clemency process. Until Congress legislates otherwise, the President retains the final say in clemency cases for District of Columbia offenders. As established by this subtitle, the Clemency Board will help to increase local control of the process and ensure the District is ready to assume full control over the clemency process once it attains statehood. The subtitle defines the purpose and duties of the Clemency Board; establishes the composition and designates the terms of service for members; establishes eligibility requirements for clemency applications; and establishes confidentiality requirements.¹⁰

Subtitle F. Fatality Review Committee Amendment Act of 2018: Creates a Violence Fatality Review Committee at the Office of the Chief Medical Examiner to study homicides and suicides of District residents ages 19 and older to improve how individuals, the community, and government agencies respond to these types of cases; and establishes the Committee’s duties and reporting, as well as the Committee composition, procedural requirements; establishes the Committee’s information access, subpoena power, and confidentiality requirements. The subtitle also makes minor technical changes to the proceedings of the Maternal Mortality Review Committee related to open meetings, confidentiality, and scope of immunity. The subtitle also

¹⁰ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-452, the “Clemency Board Establishment Act of 2017.”

updates the proceedings and the composition of the Child Fatality Review Committee; allows them to conduct maternal interviews, review information on known perpetrators, add the Public Charter School Board to the Committee's membership, and allow community representative nominees to be deemed approved when their nomination comes to the Council.

Subtitle G. Emergency Medical Services Transport Contract Authority Amendment Act of 2018: Extends FEMS authority to contract with a third-party provider for basic life support transport from the current sunset date of September 30, 2019 to September 30, 2021. The subtitle also adds a requirement that the third-party contract's biannual report to the Council include the number of minutes within the statutorily required period of service during which none of its ambulances were available.

Subtitle H. Returning Citizens Opportunity to Succeed Amendment Act of 2018: Requires the Bureau of Vital Statistics Registrar to accept identification documents provided by the Bureau of Prisons (BOP) as acceptable proof from individuals applying for vital records; establishes one-year pilot program to (1) waive fees for vital records for returning citizens within one year of their release from BOP; (2) waive fees for identification cards at the Department of Motor Vehicles; and (3) allow the Mayor's Office on Returning Citizen Affairs to provide transportation subsidies to returning citizens.¹¹

Subtitle I. Expanding Access to Justice Amendment Act of 2018: Amends the Expanding Access to Justice Amendment Act of 2017 to make the grant for the Civil Legal Counsel Projects Program funds nonlapsing and available for use by the Bar Foundation for the purposes of the program without fiscal year limitation.

Subtitle J. Office of the Attorney General Information Technology Authority and Housing Receivership Costs Amendment Act of 2018: Provides the Office of the Attorney General (OAG) with independent information technology authority; and allows OAG to use monies in the Drug-Related Nuisance Abatement Fund for costs reasonably related to prosecuting and conducting investigations of housing receivership cases.

TITLE IV. PUBLIC EDUCATION

Subtitle A. Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2018: Establishes the per-student funding formula for the 2018-2019 school year, including the foundation level and weighting factors for per-student allocations; and requires the Mayor to submit the UPSFF foundation formula to Council.

Subtitle B. State Athletics Amendment Act of 2018: Repeals the requirement that funding for the District of Columbia State Athletics Commission (DCSAC) be included as a separate program code within the budget request for the Office of the State Superintendent (OSSE); and repeals the requirement that the Commission shall submit annual oversight and budget reports to Council through OSSE. The Fiscal Year 2019 budget provides the DCSAC with independent budget authority.

¹¹ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-268, the "Returning Citizens Opportunity to Succeed Amendment Act of 2017."

Subtitle C. Early Childhood Higher Education Incentive Amendment Act of 2018: Expand the purpose of the Higher Education Incentive (HEI) program, run by the University of the District of Columbia, to allow the HEI Fund to be spent on scholarships and grant funding to individuals seeking college degrees in infant and toddler or early childhood education; and expands the types of allowable costs beyond tuition and to clarify that the HEI program has two components: (1) scholarships to students and (2) grants to institutions who can then provide funding to students.

Subtitle D. Healthy Schools Amendment Act of 2018: Authorizes OSSE to distribute Healthy Schools Funds grants to organizations that provide physical activity to students at DCPS and public charter schools; authorizes OSSE to distribute Healthy Schools Funds grants to organizations that provide kitchen equipment and cooking and nutrition training to school cafeteria workers and school food service vendors.

Subtitle E. DC Public Schools Sales and Licensing Authority Amendment Act of 2018: Authorizes the Chancellor of DCPS to contract for advertisements and sponsorships, sell tickets for athletic events, and sell or license intellectual property rights; and creates a special fund for these revenues.

Subtitle F. District of Columbia Public Library Independent Lease Authority Amendment Act of 2018: Allows the DC Public Library (DCPL), through its Executive Director, enter into lease agreements independent of the Department of General Services (DGS); allows DCPL to grant the use or lease of its grounds and facilities, manage space or enter into an agreement with DGS to lease or manage space in buildings; and issue rules to implement this authority.¹²

Subtitle G. Student Fair Access to School Applicability and Technical Amendment Act of 2018: Amends the Student Fair Access to School Amendment Act of 2018 to reflect that OSSE should make supports and opportunities available, rather than provide any specific service to every school or teacher; clarifies language with regard to supports language; updates the applicability provision to reflect funding of portions of the bill in the Fiscal Year 2019 budget and financial plan, leaving only sections 204(a) and 206(a)(4) subject to appropriations.

Subtitle H. Access to Emergency Epinephrine in Schools Clarification Amendment Act of 2018: Amends the Student Access to Treatment Act of 2007 to ensure that an employee or agent of a public school who is certified through OSSE's administration of epinephrine training can legally administer both designated and undesignated epinephrine autoinjectors to a student who the employee or agent believes, in good faith, to be suffering or about to suffer an anaphylactic episode.¹³

Subtitle I. OSSE Grants Act of 2018: Directs OSSE to award a grant of \$350,000, on a competitive basis, to support a teacher preparation program that provides robust training for

¹² The subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-698, the "District of Columbia Public Library Independent Lease Authority Amendment Act of 2018."

¹³ This subtitle incorporates provisions of temporary legislation adopted by the Council reflected in Law 22-31, the "Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2017."

special education teachers related to standards-based content and cultivating teacher and student wellbeing, including social emotional competence, and that will create a robust pipeline of highly effective special education teachers to work in DCPS and DCPCS.

TITLE V. HEALTH AND HUMAN SERVICES

Subtitle A. Health Insurance Requirement Act of 2018: Establishes, as of January 1, 2019, a health insurance requirement for District taxpayers and their dependents; requires payment of a shared responsibility payment from individuals not meeting the requirement, unless they qualify for an exemption; exempts persons who do not utilize traditional health care services due to religious principles; requires health insurance providers to provide information to District taxpayers and the Office of Tax and Revenue; establishes a special non-lapsing fund into which the shared responsibility payments will be deposited; and provides that the fund shall be used to engage in certain outreach and activities.

Subtitle B. Burial Assistance Program Increase Amendment Act of 2018: Amends the Burial Assistance Program Reestablishment Act to increase the maximum burial assistance offered through the Department of Human Services from \$800 to \$1,000 per applicant.¹⁴

Subtitle C. DC Healthcare Alliance Recertification Reporting Amendment Act of 2018: Amends the Health Care Privatization Amendment Act of 2001 to separate newly required reporting into two sections; the first section to be implemented as of October 1, 2018, the second upon funding. The subtitle also updates the applicability provision of the DC Healthcare Alliance Recertification Simplification Amendment Act of 2017 to reflect that only new sections 7b and 7d(b) remain subject to appropriations.

Subtitle D. Medicaid Hospital Outpatient Supplemental Payment Amendment Act of 2018: Authorizes the District to continue, in fiscal year 2019, to charge a fee on each hospital's outpatient gross patient revenue, to be deposited in the non-lapsing Hospital Provider Fee Fund; and extends the sunset date from September 30, 2018 to September 30, 2019.

Subtitle E. Medicaid Hospital Inpatient Rate Supplement Amendment Act of 2018: authorizes the District to continue, in fiscal year 2019, to charge a fee on the inpatient net patient revenue of each hospital, to be deposited in the non-lapsing Hospital Fund, to be used to fund District Medicaid inpatient fee-for-service; and extends the sunset date from September 30, 2018 to September 30, 2019.

Subtitle F. Public School Nurse Hiring Act of 2018: Limits the Fiscal Year 2019 budget enhancement in DOH to the School Health Services Program to be utilized to hire Registered Nurses and Licensed Practical Nurses only.

Subtitle G. Department of Health Care Finance Grant-Making Amendment Act of 2018: Authorizes the Department of Health Care Finance (DHCF) Director to award specific competitive grants, as follows: \$75,000 to develop a pilot program focused on strengthening faith-

¹⁴ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-409, the "Burial Assistance Program Increase Amendment Act of 2018."

based organizations' ability to deliver health screening, assessments, and care through technologies such as telehealth; \$50,000 to fund one-time capital and equipment expenses associated with enhanced oncological services for health care facilities in Wards 7 and 8; \$30,000 to a community provider of free medical services to teen parents through a program at a high school located in Ward 7 or Ward 8; and requires DHCF submit a report to the Council on all grants issued.

Subtitle H. Support for Teen Parents Act of 2018: Requires the Department of Human Services (DHS) to establish a program to support students in DC public schools and public charter school who are pregnant or parenting with the goals of keeping students engaged, improving graduation rates of teen parents, preparing student parents for college or career, and preventing subsequent teen pregnancies. The subtitle also requires specific supports and authorizes DHS to issue a grant to administer the program, as necessary.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Subtitle A. Dedicated Funding for the Washington Metropolitan Transit Authority Act of 2018: Establishes a new special fund, the Washington Metropolitan Area Transit Authority Dedicated Financing Fund, which shall be used as a source of funding to make the District's payment to WMATA. The subtitle also dedicates, in each of fiscal years 2019 and 2020, \$178.5 million of general sales tax revenue annually to the new fund, with that dedication growing by 3% annually, beginning in Fiscal Year 2021; and specifies the dedication shall end at the end of Fiscal Year 2059.

The subtitle makes several conforming amendments to the tax code, specifically: raising the general sales tax revenue and corresponding use tax rates from 5.75% to 6%; the rate of general sales tax for car rental or leasing from 9% to 10.25%; the rate of general sales tax for liquor, beers, and wine sold for off-premises consumption from 9% to 10.25%; the hotel sales tax and corresponding use tax rates from 10.05% to 10.20%; the gross receipts tax on for-hire vehicles, which does not include taxis, from 1% to 6%; and adjusting the Class 2 property tax rate on the properties valued at more than \$5 million to \$1.89 per \$100 of assessed value.¹⁵ In addition, the subtitle eliminates an existing dedication for WMATA from the Fiscal Year 2018 Budget Support Act of 2017. The subtitle also includes dedicated \$0.30% of sales tax revenue to the Arts, Humanities, and Creative Economy Enterprise Fund.

Subtitle B. Performance Parking Program Fund Amendment Act of 2018: Repeals the Performance Parking Fund; and removes the requirement that money generated from meters in performance parking pilot zones be divided evenly between the Sustainable Transportation Fund and the Performance Parking Pilot Fund.

¹⁵ The current Class 2 commercial real property tax is bifurcated: For up to the first \$3 million in value, the rate is \$1.65 per \$100 of assessed value and for the value above \$3 million, the rate is \$1.85 per \$100 of assessed value. The subtitle eliminates the bifurcated rates, amending § 47-812(b-9) to instead create a single rate of \$1.65 per \$100 of assessed value for properties valued up to \$5 million; properties valued at more than \$5 million shall have a single rate of \$1.89 per \$100 of assessed value. The tax realized from this change will go toward the WMATA dedication (0.03), the Commission on the Arts, Humanities, and Creative Economy Enterprise Fund (0.01), and other priorities.

Subtitle C. Advertisements on District Department of Transportation Assets on Private Property Amendment Act of 2018: Removes the prohibition on selling advertisement on District Department of Transportation (DDOT) owned assets located on private space.

Subtitle D. Rail Safety Office Implementation Amendment Act of 2018: Amends the applicability clause of the Rail Safety and Security Amendment Act of 2016 to implement the establishment of a Rail Safety Division at the Department of Energy and the Environment (DOEE); conditions the transfer for the State Safety Office from Fire and Emergency Medical Services (FEMS) to DOEE upon DOEE's certification with the Federal Transit Administration; creates a fund to collect fees and fines imposed by the State Railroad Safety and Security Authority established at DOEE as authorized by the Federal Railroad Administration.

Subtitle E. Transit Subsidy Programs Amendment Act of 2018: expands the Kids Ride Free program by allowing the Mayor to subsidize Metrorail, Metrobus, and DC Circulator fares for public school students under 22 years old traveling to employment and job training sites; and authorizes WMATA to retain any unspent funds received for the adult learner subsidy and apply the fund balance in the following year and requires reporting on the use of program funds.

Subtitle F. District of Columbia Water and Sewer Authority Rate Increases Mitigation Amendment Act of 2018: Requires DC Water to offer financial assistance programs to low-income residents to relieve the burden of water and sewer rates and the impervious area charge; requires the Mayor to establish a financial assistance program to assist eligible non-profit organizations and eligible District residents with the payment of their impervious area charges.

Subtitle G. Renewable Energy Planning and Support Amendment Act of 2018: Allows renewable energy facilities that are located on buildings served by distribution feeders serving the District to qualify as community renewable energy facilities (CREFs) if they meet certain parameters; clarifies how costs may be recovered; clarifies compliance fees payment schedule; requires certain reporting by the Public Service Commission; requires DOEE to issue a long-range plan to reduce greenhouse gas emissions by 100% by 2050.

Subtitle H. School and Park Facilities and Grounds 311 Expansion Act of 2018: Requires the Mayor to permit persons to file requests via the District's 311 system for maintenance, cleaning, or other services at facilities, grounds, and other areas under the control of the Department of Parks and Recreation (DPR) and DCPS.

Subtitle I. Anacostia River Toxics Remediation Amendment Act of 2018: Extends the deadline for DOEE to adopt a record of decision for its Anacostia River Hazardous Remediation from June 30, 2018 to December 31, 2019.

Subtitle J. Competitive Grants Act of 2019: Provides for competitive grants to be issued as follows: \$200,000 to DOEE to award a grant to provide wildlife rehabilitation; and \$250,000 to DDOT to award a grant to study identifying an optimal location for an intercity bus station.

Subtitle K. Fort Dupont Ice Arena Programming Amendment Act of 2018: Requires DPR to issue an annual grant to an organization to provide programming at the Fort Dupont Ice Arena for District children who are low-income.

Subtitle L. Autonomous Vehicles Study Amendment Act of 2018: Requires DDOT to conduct a study and offer recommendations on the impact of autonomous vehicles in the District, including the economy, revenue, infrastructure, environment, public safety, the disability community, other modes of transportation, and the need for and use of data.

Subtitle M. Online Permitting for School Facilities Act of 2018: Requires the Mayor to allow individuals and organizations to apply online for a permit to use school grounds, facilities, and other areas under the control of DCPS.

Subtitle N. Pilot Passenger Loading Zone Program Act of 2018: Requires DDOT to conduct a passenger loading zone pilot program that would allow DDOT to establish and operate curbside street zones that permit vehicles to stop to load and unload passengers in select areas during peak hours. At the end of the pilot program, DDOT shall provide a report and offer recommendations on the program's efficacy.

Subtitle O. Private Vehicle-For-Hire Data Sharing Amendment Act of 2018: Requires private vehicles-for-hire companies to share trip data of private vehicle-for-hire operators utilizing the digital dispatch services of the private vehicle-for-hire company on a quarterly basis to the District Department of Transportation and the Department of For-Hire Vehicles.

TITLE VII. FINANCE AND REVENUE

Subtitle A. Senior Residents Real Property Tax Cap Act of 2018: Lowers the cap on the growth of taxable assessments of class 1 (residential) property from 10% annually to 5% annually for homestead-qualified residents who are over the age of 65 and have a household adjusted gross income of less than \$125,000 or homestead-qualified residents with a permanent disability having a household adjusted gross income of less than \$125,000.

Subtitle B. Subject to Appropriations Amendment Act of 2018: Repeals or amends the subject-to-funding provisions for the following measures to reflect that they are now funded or that they will be fully or partially funded in the budget and financial plan adopted pursuant to Bill 22-744, the Fiscal Year 2019 Local Budget Act of 2018:¹⁶

- Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2011, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-656)
- Enhanced Special Education Services Act of 2014, effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code §38-2561.02(a)(2)(B) and § 38-2614)
- Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, effective October 21, 2015 (D.C. Law 21-30; D.C. Official Code § 47-1097, note)*
- Feminine Hygiene and Diaper Sales Tax Exemption Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-201; 63 DCR 15041)*

¹⁶ Measures marked by an * were funded in part.

- Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312)
- Elderly Tenant and Tenant with a Disability Protection Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-239; 64 DCR 1588)
- Four-unit Rental Housing Tenant Grandfathering Amendment Act of 2016, effective April 15, 2017 (D.C. Law 21-270; 64 DCR 942)
- Childhood Lead Exposure Prevention Amendment Act of 2017, effective September 23, 2017 (D.C. Law 22-21; 64 DCR 7631)*
- Union Market Tax Increment Financing Act of 2017, effective February 15, 2018 (D.C. Law 22-58; 64 DCR 13442)
- Health Literacy Council Establishment Act of 2017, effective March 6, 2018 (D.C. Law 22-66; 65 DCR 354)
- Defending Access to Women’s Health Care Services Amendment Act of 2018, effective March 28, 2018 (D.C. Law 22-75; 65 DCR 1374)
- National Community Reinvestment Coalition Real Property Tax Exemption Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-76; 65 DCR 1551)
- Electric Vehicle Public Infrastructure Expansion Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-78; 65 DCR 1560)
- East End Grocery and Retail Incentive Tax Exemption Act of 2018, effective March 29, 2018 (D.C. Law 22-83; 65 DCR 1586)
- Africare Real Property Tax Relief Act of 2018, effective March 29, 2018 (D.C. Law 22-79; 65 DCR 1563)
- Deferred Compensation Program Enrollment Amendment Act of 2018, enacted on April 4, 2018 (D.C. Act 22-303; 65 DCR 3774)
- Office-to-Affordable-Housing Task Force Establishment Act of 2018, enacted on April 4, 2018 (D.C. Act 22-304; 65 DCCR 3777)
- Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315; 65 DCR 4278)
- Office of Employee Appeals Hearing Examiner Classification Amendment Act of 2018, effective April 25, 2018 (D.C. Law 22-87; 65 DCR 2368)
- Home Composting Incentives Amendment Act of 2018, passed on 2nd reading on May 1, 2018 (Enrolled version of Bill 22-501)
- University of the District of Columbia Leased Property Tax Abatement Amendment Act of 2018, enacted May 3, 2018 (D.C. Act 22-319; 65 DCR ____)
- Workforce Development System Transparency Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-95; 65 DCR 2861)
- Address Confidentiality Act of 2018, enacted on May 7, 2018 (D.C. Act 22-337; 65 DCR ____)

Subtitle C. Qualified Business Income Tax Deduction Clarification Amendment Act of 2018: Amends the tax code to clarify that a qualified business income deduction, now allowed under federal law as a federal deduction, is not allowed for purposes of calculating District taxable income.

Subtitle D. UDC Matching Grant: Provides that for every \$2 the University of the District of Columbia (UDC) raises, \$1 shall be transferred to UDC, up to a maximum of \$1.5M; provided, that no less than one-third of the funds transferred shall be deposited into UDC’s endowment fund.

Subtitle E. Private Security Camera System Incentive Clarification Act of 2018: Adds the District-offered rebates for this program to the list of exclusions from adjusted gross income.

Subtitle F. Commission on the Arts, Humanities, and Creative Economy Dedicated Funding Amendment Act of 2018: Renames the Commission on the Arts and Humanities to be the Commission on the Arts, Humanities, and Creative Economy; makes conforming amendments throughout the establishment act; creates three cohorts of groups served by the Commission: Arts and Humanities Cohort, Creative Economy Cohort, and the National Capital Arts Cohort and establishes definitions for those cohorts; clarifies that all members of the Commission's Board are appointed to 3-year terms that commence on July 1st in the year of appointment and expire on June 30th of the 3rd year, which will maintain the staggered expiration of member terms of six members per year for the 18-member board; requires the Commission to establish an application for determining eligibility and awarding grants for each cohort; and expands the source of funds for the Arts, Humanities, and Creative Economy Enterprise Fund to include deposits from the \$0.30% sales tax dedication and up to \$2.5 million annually from the Delinquent Debt Fund.

Subtitle G. Real Property Tax Abatement Reporting Clarification Act of 2018: Eliminates the requirement for hard copies of reports concerning use of exempt real property to be provided annually to Congress; these reports are available on the website of the Office of the Chief Financial Officer (OCFO).

Subtitle H. Real Property Tax Clarification Amendment Act of 2018: Allows the Recorder of Deeds to tax security instruments for non-Class 1 properties as currently classified by the assessors; requires the Office of Tax and Revenue (OTR) to tax nominal consideration leases at 100% of fair market value; provides that the statute of limitations on the collection of taxes from properties belonging to government and international organizations is 10 years; provides that Low-Income Tax Credit properties are exempt from the recordation tax on deeds of trust; clarifies that a tax sale of improvements on government-owned ground leased land only lasts for the remainder of the lease period and is subject to the other terms and conditions of the lease; and makes changes to improve the efficiency of OTR's Discount Tax Sale process.

Subtitle I. Office of the Chief Financial Officer Fingerprinting Authorization Act of 2018: Authorizes the OCFO to require federal and state criminal background investigations, including fingerprint-based checks, on any employee, candidate for employment, contractor, or subcontractor of the OCFO who has or will have access to federal tax information. The OCFO stated this authorization is necessary to comply with Internal Revenue Service Safeguards for protecting federal tax information.

Subtitle J. Motor Fuel Importer's License Fee Amendment Act of 2018: Removes the requirement for a \$5 fee for a license to import motor fuel into the District. The OCFO stated the cost to collect the fee exceeds the revenue the fee would generate.

Subtitle K. Television, Video, or Radio Service Act of 2018: Clarifies that companies that sell or charge for cable television service, satellite relay television service, and all other distribution of television, video, or radio service shall provide certain information to the OTR on a monthly basis.

Subtitle L. Delinquent Debt Recovery Amendment Act of 2018: Repeals the requirement for the Central Collections Unit (CCU) to retain funds as a reserve operating balance; and instead directs, after all CCU expenses are met, up to \$2,500,000 of the amount remaining to the Commission on Arts, Humanities, and the Creative Economy.

Subtitle M. Commission on the Arts and Humanities Grants Act of 2018: Directs the CAH to issue, on a competitive basis, a grant up to \$300,000 to create a statue of native Washingtonian and civil rights leader Charles Hamilton Houston. The subtitle also directs 13 other grants in specific amounts to arts and humanities organizations for a variety of purposes.

Subtitle N. Alabama Avenue International House of Pancakes Real Property Tax Exemption Act of 2018: Extends the existing Alabama Avenue International House of Pancakes real property tax exemption, provided the real property continues to be leased to Father& Sons, LLC, is used for restaurant purposes, and meets several hiring requirements; requires the Mayor to certify eligibility annually; and forgives real property taxes, interest, penalties, fees, and other related charges incurred from October 1, 2018 to the effective date of this act.

Subtitle O. Nonprofit Stormwater Infrastructure Incentive Amendment Act of 2018: Provides that a tax-exempt entity shall not lose its tax-exempt status if its grounds are used to generate stormwater retention credits (SRCs). SRCs are available to lower compliance costs of construction projects that are identified as needing runoff-reducing green infrastructure.¹⁷

Subtitle P. Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Amendment Act of 2018: Extends the existing 10-year abatement (beginning in Fiscal Year 2015) an additional 20 years to 2044; the existing abatement cap of \$600,000 remains the same.

Subtitle Q. St. Elizabeths Job Creation Incentive Act of 2018: Exempts any commercial or mixed-use property located on the St. Elizabeths East Campus, beginning in 2024, from real property taxes for up to 15 years; defines “qualified tenant” as one that: (1) signs a lease of at least ten years; (2) occupies at least 35,000 square feet of office space; and (3) meets the objectives of promoting inclusive prosperity and resilience, the District’s innovative economy, economic prosperity, and opportunities for neighborhood development. Any proposed tax abatement must be approved by the Council and must have a tax abatement financial analysis completed by the Office of the Chief Financial Officer.

Subtitle R. National Cherry Blossom Matching Grant Act of 2018: Establishes a matching grant program for up to \$300,000 to support the 2019 National Cherry Blossom Festival, to be administered by the Washington Convention and Sports Authority.

Subtitle S. Certification of Accumulated General Fund Balance Amendment Act of 2018: Repeals the requirement that the Chief Financial Officer shall certify the District’s accumulated general fund balance. This certification is no longer necessary as the District already receives an independent audit by the time this certification is issued.

¹⁷ This subtitle incorporates provisions of permanent legislation under consideration by the Council reflected in Bill 22-453, the “Nonprofit Stormwater Infrastructure Incentive Amendment Act of 2017.”

Subtitle U. Council Period 22 Rule 736 Repeals: Repeals the following laws, or provisions thereof, that were passed subject to appropriation and have remained unfunded for two fiscal years, pursuant to Council Period rule 736:

- Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727)¹⁸
- Section 7 of the Pesticide Education and Control Amendment Act of 2012, effective October 23, 2012 (D.C. Law 19-191; D.C. Official Code § 8-436)
- Stroke System of Care Act of 2014, effective March 10, 2015 (D.C. Law 20-185; 61 DCR 12103)
- Unemployment Profile Act of 2015, effective December 15, 2015 (D.C. Law 21-38; 62 DCR 13742)

Subtitle U. Old Naval Hospital Tax Exemption Clarification Amendment Act of 2018: Clarifies that the exemption from real property, recordation, and transfer taxation provided to the Hill Center ended on July 1, 2017.

Subtitle V. Lot 0807 in Square 1066 Equitable Tax Recalculation and Tax Sale Remediation Act of 2018: Requires the District, due to an error in assessment, to reimburse the property owner of Lot 0807 in Square 1066, including the overpayment of taxes, reasonable legal expenses, and reasonable interest payments made to pay taxes and expenses to redeem the Property; and to annul the tax sale of the Property and to reimburse the tax sale purchaser.

Subtitle W. Estate Tax Clarification Amendment Act of 2018: Amends Title 47 to decouple the District's estate tax exemption threshold from the federal estate tax exemption threshold.

Subtitle X. Columbian Quarter Local Jobs and Tax Reduction Act of 2018: Provides the Columbian Quarter development, located on the 600, 700, and 800 block of Howard Road S.E. in Squares 5860 and 5861 of Ward 8, a real property tax reduction, beginning no sooner than October 1, 2022. The subtitle authorizes the 10-year real property tax reduction for taxable Class 2 properties, within the footprint of development site, to receive a tax rate of \$0.991 for each \$100 of assessed value, provided that the project 1) have at least 175,000 or more in gross square feet leased to the federal government; 2) obtain a certificate of occupancy; and 3) entered the tax year on October 1, 2022 or later. It also provides that beginning in the 11th year after the initial 10-year tax reduction, the real property tax rate will increase by \$0.04 annually until it reaches the standard real property tax rate for Class 2 properties.

Subtitle Y. Small Retailer Property Tax Relief Amendment Act of 2018: Establishes a refundable credit on corporate or unincorporated franchise tax liability for small retail businesses; for owner-occupied property the credit is the property tax paid that year, up to \$5,000; for a retail business that leases its building, the credit is 10% of their annual lease cost, up to \$5,000 per year. The subtitle also establishes qualifications: Only retail businesses with active operations in DC that have less than \$2,500,000 in gross revenue will be able to qualify; any revenue that a business earns outside of the District would be included in this gross revenue total.

¹⁸ This measure remained unfunded for more than two fiscal years; furthermore, the FY19 budget includes a new funding mechanism for WMATA, making Law 16-132 unnecessary.

Subtitle Z. Early Learning Tax Credit Act of 2018: Establishes a refundable income tax credit up to \$1,000 per eligible child ages 3 and under enrolled in a licensed childcare facility; defines eligible child and eligible child care expense; and establishes income limits for eligible families. This credit will only apply for tax year 2018.

Subtitle AA. Women’s National Democratic Club and Campaign for Tibet Equitable Tax Relief Act of 2018: States that the Council orders all real property taxes, interest, penalties, fees, and other related charges assessed against the individual properties owned by the International Campaign for Tibet (beginning before tax year 2014) and the Women’s National Democratic Club (beginning before tax year 2018) shall be forgiven and any payments made shall be refunded.

Subtitle BB. Tax-Payer Support for Afterschool Programs for At-Risk Students Amendment Act of 2018: Establishes a tax check-off for income tax forms so District residents may opt to donate a portion of their refund to support afterschool programs for at-risk students; directs the donations to the Office of Out of School Time Grants and Youth Outcomes (Office); directs the Mayor and the Office to promote the tax check-off; and directs funds previously collected under D.C. Official Code § 47-1812.11b to be transferred to the Office.

TITLE VIII. CAPITAL BUDGET

Subtitle A. Fiscal Year 2019 Capital Project Financing Reallocation Approval Act of 2018: Authorizes the reallocation of \$1.9 million in general obligation/income-tax secured bond proceeds from existing capital projects to DCPS modernization projects.

Subtitle B. Master Local Transportation Capital Projects Amendment Act of 2018: Extends DDOT’s ability to submit requests to the OCFO’s Office of Budget and Policy to reprogram unspent allotments in Related Projects to respective Master Projects from January 31, 2018 to January 31, 2019.

Subtitle C. Transportation Infrastructure Project Review Fund Capital Reprogrammings Amendment Act of 2018: Exempts from Council approval reprogrammings from the Transportation Infrastructure Project Review Fund, provided the reprogramming does not modify the purposes for which the reprogrammed funds may be expended.

Subtitle D. Master Capital Projects Funding Reallocation Amendment Act of 2018: Authorizes reallocations within master capital projects that an agency fully manages; exempts such reallocations from current reprogramming rules; authorizes the OCFO’s Office of Budget and Policy to review and approve the transfer; and allows the agency to request reallocation of a master capital project to a related capital project.

Subtitle E. Fiscal Year 2019 Capital Project Reallocation Approval Act of 2018: rescinds approximately \$23.2 million from existing allotments in the Capital Improvements Plan for the purpose of balancing the capital portion of the Fiscal Year 2019 Budget and Financial Plan.

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS

Subtitle A. Designated Fund Transfer Act of 2018: Directs the transfer of fund balance or revenue from certain special funds in Fiscal Year 2018, to be recognized as local funds revenue in the Fiscal Year 2019 Budget and Financial Plan.

TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE: Sets forth the applicability provision, fiscal impact, and effective date of the act. Except as specifically provided in the subtitles, this act shall apply as of October 1, 2018.

IX. COMMITTEE ACTION

On May 15, 2018, the Committee met to consider Bill 22-753, the “Fiscal Year 2019 Budget Support Act of 2018.” The meeting was called to order at XX:XX a.m., and Bill 22-753 was item V-C on the agenda. After ascertaining a quorum (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White present), Chairman Mendelson moved both the committee print and report for Bill 22-753 with leave for staff to make technical, conforming, and editorial changes. After an opportunity for further discussion, the vote on the print and report was unanimous (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White voting aye). The meeting adjourned at XX:XX a.m.

X. ATTACHMENTS

1. Bill 22-753 as introduced.
2. Mayor’s errata letter.
3. Certification letter for Bill 22-753.
4. Legal Sufficiency Determination for Bill 22-753.
5. Committee Print for Bill 22-753.