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Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend, on an emergency basis, due to congressional review, provisions of law necessary to support the Fiscal Year 2021 budget.

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140            BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
141 act may be cited as the “Fiscal Year 2021 Budget Support Congressional Review Emergency Act  
142 of 2020”.

143

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

145            **SUBTITLE A. ARCHIVES ADVISORY GROUP**

146            Sec. 1001. Short title.

147            This subtitle may be cited as the “Archives Advisory Group Congressional Review  
148 Emergency Act of 2020”.

149            Sec. 1002. Archives Advisory Group.

150            (a) There is established an Archives Advisory Group to advise the Council of the District  
151 of Columbia about Project AB102C in the District’s Capital Improvement Plan to construct a  
152 new archives facility for the District of Columbia.

153            (b) The Archives Advisory Group shall consist of no fewer than 5 members and no more  
154 than 11 members, all appointed by the Chairman of the Council.

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155 (c) The Archives Advisory Group shall consider such matters as schedule, cost, and  
156 building attributes regarding a new archives facility. The group shall make recommendations to  
157 the Council whenever useful to the Council’s deliberative process.

158 (d) The Archives Advisory Group shall have access to all draft and final documents  
159 relevant to planning and costing a new archives facility, including any feasibility study;  
160 provided, that requests for documents shall be made through the Chairman of the Council.

161 (e) The Archives Advisory Group shall not be subject to the Open Meetings Act,  
162 effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*); provided, that  
163 all meetings shall be open to the public.

164 (f) Members of the Archives Advisory Group shall not be reimbursed for expenses, or  
165 compensated. Any other necessary resources shall be coordinated by the Secretary to the  
166 Council.

167 **SUBTITLE B. AUDIT ENGAGEMENT FUND**

168 Sec. 1011. Short title.

169 This subtitle may be cited as the “Audit Engagement Fund Congressional Review  
170 Emergency Act of 2020”.

171 Sec. 1012. Audit Engagement Fund.

172 (a) There is established as a special fund the Audit Engagement Fund (“Fund”), which  
173 shall be administered by the Office of the District of Columbia Auditor in accordance with  
174 subsection (c) of this section.

175 (b) The following shall be deposited into the Fund:

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176 (1) All unspent local fund monies remaining in the operating budget for the Office  
177 of the District of Columbia Auditor at the end of each fiscal year; and

178 (2) Any other funds received on behalf of the Fund or the Office of the District of  
179 Columbia Auditor for the purpose of performing audits.

180 (c) Money in the Fund shall be used for operating expenses related to performing audits.

181 (d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
182 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
183 of a fiscal year or at any other time.

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

186 **SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS**

187 Sec. 1021. Short title.

188 This subtitle may be cited as the “Balanced Budget and Financial Plan Freeze on Salary  
189 Schedules, Benefits, and Cost-of-Living Adjustments Congressional Review Emergency Act of  
190 2020”.

191 Sec. 1022. Definitions.

192 For the purposes of this subtitle, the term:

193 (1) “CMPA” means the District of Columbia Government Comprehensive Merit  
194 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01  
195 *et seq.*).

196 (2) “Covered agency” means an agency, office, or instrumentality of the District  
197 government and independent agencies, as defined in section 301(13) of the CMPA (D.C. Official

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198 Code § 1-603.01(13)); except, that the term “covered agency” does not include the District of  
199 Columbia Housing Authority, the District of Columbia Housing Finance Agency, the District of  
200 Columbia Public Charter School Board, the District of Columbia Water and Sewer Authority, the  
201 Not-for-Profit Hospital Corporation, the Board of Trustees of the University of the District of  
202 Columbia, or the Washington Convention and Sports Authority.

203 (3) “Negotiated salary schedule” means a salary schedule specified in a collective  
204 bargaining agreement.

205 (4) “Negotiated salary, wage, and benefits provision” means the salary and  
206 benefits provided in a collective bargaining agreement.

207 (5) “Personnel authority” shall have the same meaning as set forth in section  
208 301(14) of the CMPA (D.C. Official Code § 1-603.01(14)).

209 Sec. 1023. Freeze on cost-of-living adjustments.

210 Notwithstanding any other provision of law, rule, or collective bargaining agreement, an  
211 employee of a covered agency shall not receive a cost-of-living adjustment during the period  
212 from October 1, 2020, through September 30, 2021. Nothing in this subtitle shall be construed to  
213 prohibit collective bargaining on non-compensation issues.

214 Sec. 1024. Maintenance of Fiscal Year 2020 salary schedules and benefits.

215 Notwithstanding any other provision of law, collective bargaining agreement,  
216 memorandum of understanding, side letter, or settlement, whether specifically outlined or  
217 incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be  
218 maintained during Fiscal Year 2021 and no increase in salary or benefits, including increases in  
219 negotiated salary, wage, and benefits provisions, and negotiated salary schedules, shall be

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220 provided in Fiscal Year 2021 from the Fiscal Year 2020 salary and benefits levels of covered  
221 agencies.

222 Sec. 1025. Rules.

223 To the extent authorized by the CMPA or other applicable law to issue rules to administer  
224 the salary or benefits program of a covered agency, the personnel authority for a covered agency  
225 may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved  
226 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), issue rules to implement  
227 this subtitle.

228 Sec. 1026. Revised revenue contingency.

229 Notwithstanding any other provision of law, a portion of the amount of local recurring  
230 revenues included in the Chief Financial Officer's revenue estimates issued prior to January 1,  
231 2021, that exceeds the April 24, 2020, revenue estimate incorporated in the approved budget and  
232 financial plan for Fiscal Year 2021 shall be deposited in the Workforce Investment Account to  
233 satisfy the Fiscal Year 2021 negotiated salary adjustments set aside by section 1023 for  
234 employees in the bargaining units covered by the collective bargaining agreements approved  
235 pursuant to the Interest Arbitration Award and Collective Bargaining Agreement between the  
236 District of Columbia Public Schools and the Office of the State Superintendent of Education and  
237 the American Federation of State, County and Municipal Employees, District Council 20, Local  
238 2921, AFL-CIO Emergency Approval Resolution of 2020, effective March 3, 2020 (Res. 23-374;  
239 67 DCR 2735), and the Compensation Collective Bargaining Agreement between the District of  
240 Columbia Government and Compensation Units 1 and 2, FY 2018-FY2021, Approval  
241 Resolution of 2018, deemed approved February 23, 2018 (P.R. 22-738); provided, that if



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242 amounts certified in a single revenue estimate are insufficient to satisfy the combined value of  
243 the negotiated salary adjustments under both agreements, the Mayor or appropriate personnel  
244 authority shall consult with the affected bargaining units as to how the available funds shall be  
245 allocated.

246 **SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL**  
247 **SUPPORT AND ASSISTANCE**

248 Sec. 1031. Short title.

249 This subtitle may be cited as the “Advisory Neighborhood Commissions Technical  
250 Support and Assistance Amendment Congressional Review Emergency Act of 2020”.

251 Sec. 1032. The Advisory Neighborhood Commissions Act of 1975, effective March 26,  
252 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) is amended as follows:

253 (a) Section 16(j)(3)(A)(iii) (D.C. Code § 1-309.13(j)(3)(A)(iii)), is amended by striking  
254 the phrase “shall return to the District’s General Fund” and inserting the phrase “shall be  
255 deposited in the Advisory Neighborhood Commissions Technical Support and Assistance Fund  
256 established in section 16a” in its place.

257 (b) A new section 16a is added to read as follows:

258 “Sec. 16a. Advisory Neighborhood Commissions Technical Support and Assistance  
259 Fund.

260 “(a) There is established as a special fund the Advisory Neighborhood Commissions  
261 Technical Support and Assistance Fund (“Fund”), which shall be administered by the Office of  
262 Advisory Neighborhood Commissions in accordance with subsection (c) of this section.

263 “(b) Money from the following sources shall be deposited in the Fund:

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264 “(1) Such amounts as may be appropriated to the Fund; and

265 “(2) Any amounts allocated to Advisory Neighborhood Commissions pursuant to  
266 section 738(e) of the District of Columbia Home Rule Act, approved December 24, 1973 (87  
267 Stat. 824; D.C. Code Official § 1-207.38(e)), that are forfeited pursuant to section 16(d)(3) or  
268 (j)(3) or unclaimed by the last day of the fiscal year.

269 “(c) Money in the Fund shall be used to provide the following services and supports at  
270 the request of Advisory Neighborhood Commissions subject to such limitations or prioritization  
271 as the Office may establish due to limitation of funding:

272 “(1) Planning, development, or procurement of a mobile or computer application  
273 to assist Advisory Neighborhood Commissioners with outreach and engagement with their  
274 constituents;

275 “(2) Supplementing any funding allocated for communications access services,  
276 including sign language interpretation, computer-aided real-time transcription, and other services  
277 and supports, for Advisory Neighborhood Commissions; provided, that the funding allocated for  
278 this purpose proves insufficient;

279 “(3) Ensuring that Advisory Neighborhood Commissions have access to remote  
280 meeting technologies necessary for their operations;

281 “(4) Providing or procuring audio-visual technology and services to support  
282 Advisory Neighborhood Commissions;

283 “(5) Providing or procuring printing services for Advisory Neighborhood  
284 Commissions; and

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285 “(6) Providing or procuring website assistance for Advisory Neighborhood  
286 Commissions.

287 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
288 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
289 of a fiscal year or at any other time.

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

292 **SUBTITLE E. RENEWABLE ENERGY FUTURE**

293 Sec. 1041. Short title.

294 This subtitle may be cited as the “Renewable Energy Future Congressional Review  
295 Emergency Amendment Act of 2020”.

296 Sec. 1042. The Department of General Services Establishment Act of 2011, effective  
297 September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01, *et seq.*), is amended as  
298 follows:

299 (a) Section 1026 (D.C. Code § 10-551.05) is amended as follows:

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

301 (A) Paragraph (8) is amended by striking the phrase “; and” and inserting  
302 a semicolon in its place.

303 (B) Paragraph (9) is amended by striking the period and inserting a  
304 semicolon in its place.

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

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306                   “(10) Any study of the feasibility of initiating or expanding renewable energy  
307 generation, which shall include an analysis of the potential for capturing solar or other forms of  
308 renewable energy that is conducted pursuant to subsection (c-1) of this section.”.

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

310                   “(c-1) The Department shall produce and publish on its website an analysis of the  
311 feasibility of initiating or expanding renewable energy generation, including an analysis of the  
312 potential for capturing solar or other forms of renewable energy at each District-owned property  
313 under the control of the Mayor on a rolling basis, with each property re-analyzed no less than  
314 once every 10 years.”.

315                   (b) A new section 1028d is added to read as follows:

316                   “Sec. 1028d. Renewable energy generation at District-owned properties.

317                   “(a) Subject to the availability of funding, the Department shall initiate or expand  
318 renewable energy generation at every District-owned property under the control of the Mayor  
319 where doing so is found feasible by the analysis required by section 1026(c-1).

320                   “(b) Notwithstanding the Small and Certified Business Enterprise Development and  
321 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-  
322 218.01 *et seq.*) (“CBE Act”), or any other provision of District law or regulation, any contract  
323 entered into to implement this section, absent a waiver pursuant to section 2351 of the CBE Act  
324 (D.C. Official Code § 2-218.51), shall:

325                   “(1) Be awarded to a qualified small business enterprise; provided, that if the  
326 Department determines that there are not at least 2 qualified small business enterprises that can

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327 provide the services or goods that are the subject of the contract, the Department may use any  
328 qualified certified business enterprise; or

329 “(2) Require that at least 50% of the dollar volume of the contract shall be  
330 subcontracted to qualified small business enterprises; provided, that if there are insufficient  
331 qualified small business enterprises to meet the requirement and best efforts are made to ensure  
332 that qualified small business enterprises are significant participants in the overall subcontracting  
333 work, then the subcontracting requirement may be satisfied by subcontracting 50% of the dollar  
334 volume to any qualified certified business enterprise.”.

335 **SUBTITLE F. DC CENTER FOR THE LGBT COMMUNITY GRANT**

336 Sec. 1051. Short title.

337 This subtitle may be cited as the “The DC Center for the LGBT Community Support  
338 Congressional Review Emergency Act of 2020”.

339 Sec. 1052. For Fiscal Year 2021, the Department of General Services shall award the DC  
340 Center for the LGBT Community a grant in the amount of \$70,000 to sustain its operations while  
341 the organization anticipates an upcoming move.

342 **SUBTITLE G. ACCESS TO JOBS**

343 Sec. 1061. Short title.

344 This subtitle may be cited as the “Access to Jobs Congressional Review Emergency  
345 Amendment Act of 2020”.

346 Sec. 1062. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on  
347 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.

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348 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding new subparagraph (L)  
349 to read as follows:

350 “(L) Establish and implement a pilot program to support the employment  
351 of 10 returning citizens through grants to employers for 2 years beginning in Fiscal Year 2021;  
352 provided, that:

353 “(i) To qualify for the pilot program, an eligible employer shall:

354 “(I) Register with the Office on Returning Citizen Affairs to  
355 accept applications for employment from eligible individuals;

356 “(II) Demonstrate that potential employees in the pilot  
357 program have opportunities for advancement within the eligible employer’s organization or  
358 industry;

359 “(III) Hire one or more eligible individuals who meet the  
360 requirements of sub-subparagraph (ii) of this subparagraph;

361 “(IV) Be located within the District;

362 “(V) Pay each employed eligible individual at least the  
363 minimum wage required pursuant to the Minimum Wage Act Revision Act of 1992, effective  
364 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);

365 “(VI) Employ each eligible individual for a minimum of  
366 20 hours per week for a minimum of 8 weeks;

367 “(VII) Submit an application; and

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368 “(VIII) Provide documentation as required by the Office on  
369 Returning Citizen Affairs to substantiate the satisfaction of each requirement of the pilot  
370 program for the participating eligible employer and for each eligible individual employed.

371 “(ii) For an eligible employer to receive a grant for the  
372 employment of an eligible individual, the eligible individual must:

373 “(I) Have been previously incarcerated;

374 “(II) Be a resident of the District;

375 “(III) Have completed a workforce development and life  
376 skills program within the District; and

377 “(IV) Have been unemployed for a period of at least one  
378 month prior to being hired by the participating eligible employer.

379 “(iii) Grants offered through the pilot program shall be disbursed:

380 “(I) Initially, after an eligible employer has provided  
381 documentation substantiating that the eligible employer employed an eligible individual for a  
382 minimum of 20 hours per week for a minimum of 8 weeks;

383 “(II) Subsequent to the initial disbursement, at the end of  
384 each month that the eligible individual is employed pursuant to the requirements of the pilot  
385 program;

386 “(iv) The maximum amount of the grant disbursements offered  
387 through the pilot program to each participating eligible employer shall be:

388 “(I) For the first year that an eligible individual is employed  
389 by a participating eligible employer, 40% of the minimum wage for a period not to exceed 40

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390 hours per week and 2,080 hours per year for each eligible individual hired under the pilot  
391 program; and

392 “(II) For the second year that an eligible individual is  
393 employed by the same participating eligible employer, 80% of the minimum wage for a period  
394 not to exceed 40 hours per week and 2,080 hours per year for each eligible individual hired under  
395 the pilot program.

396 “(v)(I) The total amount of funding expended through the pilot  
397 program shall not exceed the amount budgeted for the pilot program.

398 “(II) Eligible employers shall receive funding in the order  
399 that they successfully provide the documentation required pursuant to sub-subparagraph (i)(VII)  
400 of this subparagraph for the employment of an eligible individual.

401 “(III) For each eligible individual for whom documentation  
402 successfully has been submitted, an amount of funds shall be set aside such that the eligible  
403 employer may be reimbursed for the employment of an eligible individual for a period no shorter  
404 than the remainder of the fiscal year during which the documentation was submitted, and the  
405 remainder of the assistance shall be subject to the availability of funding.”.

406 **SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT**

407 Sec. 1071. Short title.

408 This subtitle may be cited as the “Returning Citizen Paralegal Fellowship Initiative Pilot  
409 Program Congressional Review Emergency Amendment Act of 2020”.

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411           Sec. 1072. Section 3(b)(2) of the Office on Ex-Offender Affairs and the Commission on  
412 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.  
413 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding a new subparagraph  
414 (M) to read as follows:

415                       “(M) Conduct a Paralegal Fellowship Initiative pilot program that places a  
416 cohort of returning citizen students in an accredited, university-based paralegal certification  
417 program located in the District of Columbia, while providing the students with support services  
418 necessary for their success.”.

419           **SUBTITLE I. NON-PROFIT FAIRNESS ANALYSIS**

420           Sec. 1081. Short title.

421           This subtitle may be cited as the “Non-Profit Reimbursement Fairness Analysis  
422 Congressional Review Emergency Amendment Act of 2020”.

423           Sec. 1082. Section 204(b) of the Procurement Practices Reform Act of 2010, effective  
424 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.04(b)), is amended as follows:

425           (a) Paragraph (15) is amended by striking the phrase “; and” and inserting a semicolon in  
426 its place.

427           (b) Paragraph (16) is amended by striking the period and inserting the phrase “; and” in  
428 its place.

429           (c) A new paragraph (17) is added to read as follows:

430                       “(17) To issue a report to the Mayor and the Council by April 1, 2021, that  
431 includes:

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432                   “(A) A review and analysis of the funding of indirect costs in the terms of  
433 grant agreements or contracts entered into between nonprofit organizations and the District  
434 government;

435                   “(B) A table listing the federal funding associated with contracts or grants  
436 passed through to nonprofit organizations by the District government in Fiscal Year 2020,  
437 including any funding passed through to nonprofit organizations to meet their indirect costs and  
438 any funding retained by the District rather than being passed through for this purpose; and

439                   “(C) Any recommended amendments to law, regulations, policy, or  
440 training in order to ensure the legal, fair, and consistent funding of indirect costs to nonprofit  
441 organizations by the District.”.

442                   **SUBTITLE J. INDIGENOUS PEOPLES’ DAY**

443                   Sec. 1091. Short title.

444                   This subtitle may be cited as the “Indigenous Peoples’ Day Congressional Review  
445 Emergency Amendment Act of 2020”.

446                   Sec. 1092. Section 1202(a)(7) of the District of Columbia Government  
447 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139;  
448 D.C. Official Code § 1-612.02(a)(7)), is amended by striking the phrase “Columbus Day”  
449 and inserting the phrase “Indigenous Peoples’ Day” in its place.

450                   Sec. 1093. Section 25-723(c)(1)(B) of the District of Columbia Official Code is  
451 amended by striking the phrase “Columbus Day” and inserting the phrase “Indigenous  
452 Peoples’ Day” in its place.

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454           Sec. 1094. Section 28-2701 of the District of Columbia Official Code is amended  
455 by striking the phrase “Columbus Day” and inserting the phrase “Indigenous Peoples’  
456 Day” in its place.

457           **SUBTITLE K. CAMPAIGN FINANCE REFORM IMPLEMENTATION**

458           Sec. 1101. Short title.

459           This subtitle may be cited as the “Campaign Finance Reform Implementation  
460 Congressional Review Emergency Amendment Act of 2020”.

461           Sec. 1102. Section 1108(c-1) of the District of Columbia Government Comprehensive  
462 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
463 611.08(c-1)), is amended as follows:

464           (a) Paragraph (9) is amended by striking the semicolon and inserting the phrase “; and” in  
465 its place.

466           (b) Paragraph (10) is amended by striking the phrase “; and” and inserting a period in its  
467 place.

468           (c) Paragraph (11) is repealed.

469           Sec. 1103. The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-  
470 124; D.C. Official Code § 1-1163.01 *et seq.*), is amended as follows:

471           (a) Section 302a(h) (D.C. Official Code § 1-1163.02a(h)) is amended to read as follows:

472           “(h) Members of the Campaign Finance Board, including the Chairperson, shall not  
473 receive compensation for their service on the Campaign Finance Board.”.

474           (b) Section 309(b) (D.C. Official Code § 1-1163.09(b)) is amended to read as follows:

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475           “(b) The reports required by subsection (a) of this section shall be filed on the 10th day of  
476 March, June, August, October, and December in the 7 months preceding the date on which, and  
477 in each year during which, an election is held for the office sought, and 8 days before a special or  
478 general election, and also by the 31st day of January each year. In addition, the reports shall be  
479 filed on the 31st day of July of each year in which there is no election. The reports shall be  
480 complete as of the date prescribed by the Director of Campaign Finance, which shall not be more  
481 than 5 days before the date of filing, except that any contribution of \$200 or more received after  
482 the closing date prescribed by the Director of Campaign Finance for the last report required to be  
483 filled before the election shall be reported within 24 hours after its receipt.”.

484           Sec. 1104. Section 10 of the Campaign Finance Reform Amendment Act of 2018,  
485 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

486           “Sec. 10. Applicability.

487           “(a) Sections 6(b)(4), (8), and (22), and (pp), 8, and 9:

488                   “(1)(A) Shall apply upon the date of inclusion of their fiscal effect in an approved  
489 budget and financial plan.

490                   “(B) The Chief Financial Officer shall certify the date of the inclusion of  
491 the fiscal effect in an approved budget and financial plan and provide notice to the Budget  
492 Director of the Council of the certification.

493                   “(C)(i) The Budget Director shall cause the notice of the certification to be  
494 published in the District of Columbia Register.

495                   “(ii) The date of publication of the notice of the certification shall  
496 not affect the applicability of sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

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497                   “(2) Shall not apply to contracts, as defined in section 101(10C)(A)(ii) of the  
498 Board of Ethics and Government Accountability Establishment and Comprehensive Ethics  
499 Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official  
500 Code § 1-1161.01(10C)(A)(ii)), including those contracts’ option periods or similar contract  
501 extensions or modifications, sought, entered into, or executed before the applicability date of  
502 sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

503                   “(b)(1) Notwithstanding any other law, the functions and duties transferred to the  
504 Campaign Finance Board pursuant to this act shall continue to be implemented by the Elections  
505 Board or the Director of Campaign Finance, as applicable, until the date that the Campaign  
506 Finance Board has a quorum of members.

507                   “(2) All rules, orders, obligations, determinations, grants, contracts,  
508 licenses, and agreements of the Board of Elections transferred to the Campaign Finance  
509 Board under this act shall continue in effect according to their terms until lawfully  
510 amended, repealed, or modified.”.

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

512                   **SUBTITLE A. BUSINESS RECOVERY TASK FORCE ESTABLISHMENT**

513                   Sec. 2001. Short title.

514                   This subtitle may be cited as the “Business Recovery Task Force Establishment  
515 Congressional Review Emergency Act of 2020”.

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517           Sec. 2002. There is established the Business Recovery Task Force (“Task Force”) to  
518 provide recommendations to the Mayor and Council regarding the recovery of the District’s  
519 businesses following the end of the COVID-19 emergency.

520           Sec. 2003. Membership; appointment; staff; meetings.

521           (a) The Task Force shall be composed of:

522                   (1) The following government members, or their designees:

523                           (A) The Deputy Mayor for Planning and Economic Development;

524                           (B) The Director of the Department of Small and Local Business  
525 Development (“Department”); and

526                           (C) The Chairperson of the Council’s Committee on Business and  
527 Economic Development; and

528                   (2) Eight representatives of business enterprises, one from each Ward, all of  
529 whom shall be District residents, who collectively represent industries and geographical areas  
530 hardest hit by the COVID-19 emergency, with at least one representative being an owner of an  
531 equity impact enterprise as defined by section 2302(8A) of the Small and Certified Business  
532 Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-  
533 33; D.C. Official Code § 2-218.02(8A)) (“CBE Act”).

534           (b) The business representatives shall be appointed by the Chairman of the Council after  
535 receiving recommendations made by the Chairperson of the Council Committee on Business and  
536 Economic Development and shall serve without compensation.

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537 (c) The Chairperson of the Task Force shall be designated by the Chairperson of the  
538 Council’s Committee on Business and Economic Development from among the business  
539 representatives.

540 (d) The Department shall provide administrative support for the Task Force.

541 (e) If, when all the members have been appointed and the Task Force is functioning, the  
542 COVID-19 emergency is still in effect, the Task Force shall convene monthly. After the COVID-  
543 19 emergency has been lifted, the Task Force shall meet not less frequently than quarterly until  
544 dissolved.

545 Sec. 2004. Reporting requirement.

546 Within 180 days after the appointment of the appointed members, the Task Force shall  
547 submit a report to the Mayor and the Council that addresses the following:

548 (1) Recommendations to identify and access available technical and financial  
549 assistance opportunities, including the Small Business Administration Disaster Relief funds and  
550 other federal funds as they become available;

551 (2) Support for outreach and educational efforts to small businesses; and

552 (3) Long-term policy recommendations for economic recovery of small  
553 businesses following the COVID-19 emergency.

554 Sec. 2005. Definitions.

555 For the purposes of this subtitle, term:

556 (1) “COVID-19 emergency” means the public health emergencies declared in the  
557 Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of

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558 Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any  
559 extension of those declared emergencies.

560 (2) “Small business enterprise” shall have the same meaning as provided in  
561 2302(16) of the CBE Act (D.C. Official Code § 2-218.02(16)).

562 Sec. 2006. Sunset.

563 The Task Force shall dissolve, and this subtitle shall expire as of the date the Task Force  
564 submits the report required by section 2004.

565 **SUBTITLE B. NEW YORK AVENUE, N.E., RETAIL PRIORITY AREA**

566 **EXPANSION**

567 Sec. 2011. Short title.

568 This subtitle may be cited as the “New York Avenue, N.E., Retail Priority Area  
569 Expansion Congressional Review Emergency Amendment Act of 2020”.

570 Sec. 2012. Section 4(k) of the Retail Incentive Act of 2004, effective September 8, 2004  
571 (D.C. Law 15-185; D.C. Official Code § 2-1217.73(k)), is amended by adding a new paragraph  
572 (3) to read as follows:

573 “(3) In addition to the areas described in paragraphs (1) and (2) of this subsection,  
574 the New York Avenue, N.E., Retail Priority Area shall consist of the area beginning at the  
575 intersection of Montello Avenue, N.E., and Florida Avenue, N.E., continuing northeast along  
576 Montello Avenue, N.E., until Mt. Olivet Road, N.E.”.

577 **SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS**

578 Sec. 2021. Short title.



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579 This subtitle may be cited as the “Aligning Opportunity Zone Tax Benefits with DC  
580 Community Priorities Congressional Review Emergency Amendment Act of 2020”.

581 Sec. 2022. Title 47 of the District of Columbia Official Code is amended as follows:

582 (a) Section 47-1801.04 is amended by adding new paragraphs (39A), (39B), (39C), and  
583 (39D) to read as follows:

584 “(39A) “Qualified opportunity fund” shall have the same meaning as set forth in  
585 section 1400Z-2 of the Internal Revenue Code of 1986, approved December 22, 2017 (131 Stat.  
586 2184; 26 U.S.C. § 1400Z-2) (“section 1400Z-2”).

587 “(39B) “Qualified opportunity zone” shall have the same meaning as set forth in  
588 section 1400Z-2.

589 “(39C) “Qualified opportunity zone business” shall have the same meaning as set  
590 forth in section 1400Z-2.

591 “(39D) “Qualified opportunity zone business property” shall have the same  
592 meaning as set forth in section 1400Z-2.”.

593 (b) Section 47-1803.03(a) is amended by adding a new paragraph (20) to read as follows:

594 “(20) Capital Gains. --

595 “(A) Deferral of a capital gains tax payment for investing in a qualified  
596 opportunity fund (“QOF”) shall be realized only if the taxpayer invests in a QOF that meets the  
597 criteria set forth in subparagraph (D) of this paragraph;

598 “(B) Reduction of capital gains tax liability through a 10% step-up in  
599 basis, if invested in a QOF for 5 years prior to December 31, 2026, and an additional 5% step-up

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600 in basis, if invested in a QOF for 7 years prior to December 31, 2026, shall be realized only if the  
601 taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

602                   “(C) Abatement of capital gains tax on an investment of capital gains in a  
603 QOF for at least 10 years before December 31, 2047, shall be realized only if the taxpayer  
604 invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

605                   “(D) To receive the benefits described in subparagraphs (A), (B), and (C)  
606 of this paragraph, the taxpayer shall:

607                                   “(i) Invest in a QOF that:

608                                                           “(I) Is certified by the Mayor as an eligible QOF pursuant  
609 to subparagraph (E) of this paragraph;

610                                                           “(II) Has invested at least the value of the taxpayer’s  
611 investment in the QOF in a qualified opportunity zone in the District; and

612                                                           “(III) Has submitted its IRS Form 8996 to the Office of Tax  
613 and Revenue for the tax year in which the taxpayer is seeking the benefits described in  
614 subparagraphs (A), (B), and (C) of this paragraph; and

615                                   “(ii) Submit an IRS Form 8997 to the Office of Tax and Revenue  
616 for the tax year in which the taxpayer is seeking the benefits described in subparagraphs (A), (B),  
617 and (C) of this paragraph.

618                   “(E) To be certified by the Mayor as an eligible QOF, a QOF shall submit  
619 to the Mayor documentation showing:

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620                                   “(i) That some or all of its investments in qualified opportunity  
621 zone businesses and qualified opportunity zone business property are in businesses or property  
622 that:

623                                   “(I) Have been selected by the District government for a  
624 grant, loan, tax incentive, tax abatement, or other benefit or incentive intended to promote  
625 economic or community development in the District;

626                                   “(II) Have been selected by the Office of the Deputy Mayor  
627 for Planning and Economic Development to manage the redevelopment of a property, with  
628 respect to a business, or that are owned or disposed of by the District government, with respect to  
629 a property;

630                                   “(III) Have an unconditioned resolution of support from the  
631 Advisory Neighborhood Commission in which the business or property is located or a  
632 conditional resolution of support from the Advisory Neighborhood Commission in which the  
633 business or property is located and the Mayor determines that each of the conditions of the  
634 resolution have been met; or

635                                   “(IV) Are located in the District and have been scored by  
636 the QOF using the Urban Institute’s Opportunity Zone Community Impact Assessment Tool, or  
637 other assessment tool approved by the Mayor, and received a score of 75 (or its equivalent) or  
638 greater; and

639                                   “(ii) That the dollar amount of the investments that the QOF has  
640 made in qualified opportunity zone businesses and qualified opportunity zone business property  
641 meets the standards set forth in sub-subparagraph (i) of this subparagraph.”.

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642           **SUBTITLE D. STREETScape BUSINESS DEVELOPMENT RELIEF**

643           Sec. 2031. Short title.

644           This subtitle may be cited as the “Streetscape Business Development Relief Fund  
645 Expansion Congressional Review Emergency Amendment Act of 2020”.

646           Sec. 2032. Section 603 of the Streetscape Fund Amendment Act of 2010, effective April  
647 8, 2011 (D.C. Law 18-370; D.C. Official Code § 1-325.191), is amended as follows:

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

649                   (1) Strike the phrase “to any individual” and insert the phrase “to a District Main  
650 Streets Program organization or individual” in its place.

651                   (2) Strike the phrase “business inside or adjoining” and insert the phrase “business  
652 within the project boundaries of or adjoining” in its place.

653                   (3) Strike the phrase “grant, a retail business” and insert the phrase “grant, a  
654 District Main Streets Program organization or individual or entity operating a retail business” in  
655 its place.

656                   (4) Strike the phrase “submitted by the retail” and insert the phrase “submitted by  
657 the District Main Street Program organization or individual or entity operating a retail” in its  
658 place.

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

660                   “(e) Within 180 days of the end of the Fiscal Year 2020, and every year thereafter, the  
661 Department of Small and Local Business Development shall submit a report to the Council  
662 detailing all loans, grants, and sub-grants issued pursuant to this section, including information

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663 on the dollar amount disbursed, recipients of financial assistance, and whether the recipient is a  
664 certified business enterprise.”.

665 **SUBTITLE E. EQUITY IMPACT ENTERPRISE ESTABLISHMENT**

666 Sec. 2041. Short title.

667 This subtitle may be cited as the “Equity Impact Enterprise Establishment Congressional  
668 Review Emergency Amendment Act of 2020”.

669 Sec. 2042. The Small and Certified Business Enterprise Development and Assistance Act  
670 of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is  
671 amended as follows:

672 (a) The table of contents is amended by adding a new part D-i to read as follows:

673 “Part D-i. Programs for equity impact enterprises.

674 “Sec. 2377. Equity impact enterprise.”.

675 (b) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding a new paragraph  
676 (8A) to read as follows:

677 “(8A) “Equity impact enterprise” means a business enterprise that is a resident-  
678 owned business and a small business enterprise that can demonstrate that it is at least 51% owned  
679 by an individual who is, or a majority number of individuals who are:

680 “(A) Economically disadvantaged individuals; or

681 “(B) Individuals who have been subjected to racial or ethnic prejudice or  
682 cultural bias because of their identity as a member of a group without regard to their individual  
683 qualities.”.

684 (c) Section 2343(a) (D.C. Official Code § 2-218.43(a)) is amended as follows:

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

686 (A) Subparagraph (G) is amended by striking the phrase “; and” and  
687 inserting a semicolon in its place.

688 (B) Subparagraph (H) is amended by striking the period and inserting the  
689 phase “; and” in its place.

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

691 “(I) Five points for an equity impact enterprise.”.

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

693 (A) Subparagraph (G) is amended by striking the phrase “; and” and  
694 inserting a semicolon in its place.

695 (B) Subparagraph (H) is amended by striking the period and inserting the  
696 phase “; and” in its place.

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

698 “(I) Ten percent for an equity impact enterprise.”.

699 (d) Section 2347 (D.C. Official Code § 2-218.47) is amended to read as follows:

700 “Sec. 2347. Unbundling requirement; rulemaking requirement.

701 “(a)(1) No later than January 1, 2021, the Mayor, pursuant to Title I of the District of  
702 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
703 Official Code § 2-501 *et seq.*), shall issue rules on unbundling that include procedures to ensure  
704 that solicitations are subdivided and unbundled and that smaller contracts are created to the  
705 extent feasible and fiscally prudent.

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706                   “(2) The proposed rules required by paragraph (1) of this subsection shall be  
707 submitted to the Council for a 30-day period of review, excluding days of Council recess. If the  
708 Council does not approve or disapprove the proposed rules by resolution within the 30-day  
709 review period, the proposed rules shall be deemed approved.

710                   “(b) Beginning on January 1, 2021, and quarterly thereafter, the Department shall  
711 publicly make available on its website solicitations that have been subdivided and unbundled.

712                   “(c) Five years from the effective date of the Equity Impact Enterprise Establishment  
713 Amendment Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-  
714 760), the Mayor shall evaluate the effectiveness of the equity impact enterprise program and  
715 whether or not it has resulted in creating more contracting opportunities for equity impact  
716 enterprises and submit the evaluation to the Council.

717                   “(d) The Department shall provide targeted technical assistance, networking  
718 opportunities, and vendor workshops to prepare equity impact enterprises to compete for  
719 contracting and procurement opportunities.”.

720                   (e) Section 2349(b) (D.C. Official Code § 2-218.49(b)) is amended to read as follows:

721                   “(b) No later than October 1, 2020, the Mayor shall implement a pilot program for equity  
722 impact enterprises.”.

723                   (f) Section 2375(d)(1) (D.C. Official Code § 2-218.75(d)(1)) is amended by striking the  
724 phrase “or a resident-owned business enterprises pursuant to section 2235” and inserting the  
725 phrase “a resident-owned business enterprise pursuant to section 2235, or an equity impact  
726 enterprise as defined in section 2302(8A)” in its place.

727                   (g) A new Part D-i is added to read as follows:

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728 “Part D-i. Programs for Equity impact enterprises.

729 “Sec. 2377. Equity impact enterprise.

730 “An equity impact enterprise, as defined in section 2302(8A), shall be eligible for  
731 certification as an impact enterprise.”.

732 Sec. 2043. Section 2 of the Minority and Women-Owned Business Assessment Act of  
733 2008, effective March 26, 2008 (D.C. Law 17-136; D.C. Official Code § 2-214.01), is amended  
734 as follows:

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

736 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a  
737 semicolon in its place.

738 (2) Paragraph (3) is amended by striking the period and inserting the phrase “;  
739 and” in its place.

740 (3) A new paragraph (4) is added to read as follows:

741 “(4) Ensure all District agencies with procurement authority, including  
742 independent agencies, are trained to evaluate, collect, and accurately track spending data as well  
743 as demographic data such as race and gender, upon request of District contract and procurement  
744 awardees, to better assess the District utilization of equity impact enterprises, minority-owned  
745 prime contractors and subcontractors, and women-owned prime contractors and subcontractors.”.

746 (b) Subsection (b-1) is amended as follows:

747 (1) The lead-in language of paragraph (1) is amended to read as follows:

748 “In Fiscal Year 2021, the Mayor shall contract with a person or entity to conduct a  
749 District-based study (“disparity study”) to:”.



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

751 “(1A) All agencies with procurement authority, including independent agencies,  
752 shall coordinate with the Executive Office of the Mayor to provide timely and accurate  
753 information to assist with the completion of the disparity study.”.

754 (3) Paragraph (2) is amended by striking the phrase “270 days after October 30,  
755 2018” and inserting the phrase “450 days after October 30, 2020” in its place.

756 **SUBTITLE F. DMPED LIMITED GRANT-MAKING AUTHORITY**

757 Sec. 2051. Short title.

758 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
759 Development Limited Grant Making Authority Congressional Review Emergency Amendment  
760 Act of 2020”.

761 Sec. 2052. Section 2032 of the Deputy Mayor for Planning and Economic Development  
762 Limited Grant-Making Authority Act of 2012, effective September 12, 2012 (D.C. Law 19-168;  
763 D.C. Official Code § 1-328.04), is amended as follows:

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

765 (1) Paragraph (2) is amended by striking the phrase “; and” and inserting a  
766 semicolon in its place.

767 (2) Paragraph (3) is amended by striking the period and inserting a semicolon in  
768 its place.

769 (3) New paragraphs (4), (5), and (6) are added to read as follows:

770 “(4)(A) Funds to equity impact enterprises operating in Ward 5, 7, or 8 to increase  
771 economic or community development in an underserved area of the District;

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772                               “(B) For the purposes of this paragraph, the term “equity impact  
773 enterprise” shall have the same meaning as set forth in section 2302(8A) of the Small and  
774 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,  
775 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A));

776                               “(5) Funds to provide real property tax rebates pursuant to D.C. Official Code  
777 § 47-4665, in amount not to exceed \$3 million in a fiscal year; except, that in Fiscal Year 2021,  
778 the amount shall not exceed \$580,366;

779                               “(6) Beginning in Fiscal Year 2021 and annually thereafter, the Deputy Mayor  
780 shall award a grant of not less than \$200,000 to an organization that advances equitable  
781 economic development by facilitating and increasing the number of procurement contracts for  
782 products and services between District-based businesses and large-scale anchor institutions, such  
783 as universities and hospitals.”.

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

785                               “(i)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
786 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2021, the  
787 Deputy Mayor shall award a grant to a bank chartered under the laws of the District on or before  
788 March 11, 2020, in an amount of at least \$1 million for purposes that:

789                               “(A) Support an equitable economic recovery for the District of Columbia;  
790 and

791                               “(B) Increase access to loans, grants, financial services, and banking  
792 products to District residents, businesses, nonprofits, and community-based organizations.

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793                   “(2) A grantee who receives a grant pursuant to paragraph (1) of this subsection  
794 shall submit to the Deputy Mayor by September 30, 2021, information on the use of the grant  
795 funds, including:

796                               “(A) A description of services provided through the grant funds;

797                               “(B) The aggregate number of individuals, businesses, nonprofits, and  
798 community-based organization, by recipient type, receiving support from the grantee and the  
799 aggregate amount received, by recipient type;

800                               “(C) Except as may be prohibited by federal law, the business name and  
801 address for each business receiving support from the grantee and the amount received by each  
802 such business; and

803                               “(D) The number of homeowners receiving support from the grantee and  
804 the total amount spent to assist District homeowners.

805                   “(3) The Deputy Mayor shall provide to the Council a report based on the  
806 information required by paragraph (2) of this subsection, along with a summary analysis of the  
807 efficacy and benefits of the grants issued by the grantee, by November 1, 2021.”.

808                   Sec. 2053. Section 47-4665 of the District of Columbia Official Code is amended as  
809 follows:

810                   (a) The lead-in language of subsection (b) is amended by striking the phrase “shall  
811 receive,” and inserting the phrase “may receive” in its place.

812                   (b) The lead-in language of subsection (c)(1) is amended by striking the phrase “shall be  
813 equal” and inserting the phrase “shall be equal, subject to the availability of funds,” in its place.

814                   (c) Subsection (f) is amended as follows:

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815 (1) The existing text is designated as paragraph (1).

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

817 “(2) Notwithstanding paragraph (1) of this subsection, the total combined rebate  
818 payments for Fiscal Year 2021 for all occupants under this section shall not exceed \$580,366.”.

819 **SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING**

820 Sec. 2061. Short title.

821 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-Need  
822 Areas Congressional Review Emergency Amendment Act of 2020”.

823 Sec. 2062. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as  
824 follows:

825 (a) The table of contents is amended by adding a new section designation to read as  
826 follows:

827 “47-860. Tax abatement for affordable housing in high-need affordable housing areas.”.

828 (b) A new section 47-860 is added to read as follows:

829 “§ 47-860. Tax abatement for affordable housing in high-need affordable housing areas.

830 “(a) Real property tax imposed by § 47-811 on real property certified as eligible pursuant  
831 to subsection (d) of this section shall be abated for the period set forth in subsection (c) of this  
832 section; provided, that:

833 “(1) The real property is located in a high-need affordable housing area;

834 “(2) The real property is designated by the Mayor pursuant to subsection (b) of  
835 this section;

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836                   “(3) For the duration of the period set forth in subsection (c) of this section, at  
837 least one third of the housing units developed or redeveloped on the real property are affordable  
838 to and rented by households earning on average 80% or less of the median family income;  
839 provided, that during such period no such household earn more than 100% of the median family  
840 income;

841                   “(4) The developer files a covenant in the land records of the District, binding on  
842 the developer and all of its successors in interest with respect to the property, covenanting to  
843 comply with the requirements of paragraph (3) of this subsection;

844                   “(5) The developer enters into an agreement with the District that requires the  
845 developer to, at a minimum, contract with certified business enterprises for at least 35% of the  
846 contract dollar volume of the construction and operations of the project, in accordance with  
847 section 2346 of the CBE Act (D.C. Official Code § 2-218.46);

848                   “(6) The developer enters into a First Source Agreement for the operations of the  
849 project; and

850                   “(7) The developer enters into an agreement with the Mayor setting forth the  
851 requirements of this subsection and such other terms and conditions as the Mayor considers  
852 appropriate.

853                   “(b) The Mayor may, through a competitive process, designate real property to be eligible  
854 to receive a tax abatement under this section; provided, that the total amount of the tax  
855 abatements associated with real property designated by the Mayor pursuant to this subsection  
856 shall not exceed \$200,000 in Fiscal Year 2024 and shall not exceed \$4 million annually  
857 thereafter.

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858           “(c) The tax abatement provided for by this section shall begin in the tax year  
859 immediately following the tax year during which the certificate of occupancy was issued for the  
860 final housing unit counted toward satisfying the affordability requirement of subsection (a)(3) of  
861 this section and shall continue until the end of the 30th tax year after the tax year during which  
862 such certificate of occupancy is issued; provided, that the Mayor may opt to continue the tax  
863 abatement provided for by this section until the end of the 40th tax year after the tax year during  
864 which such certificate of occupancy is issued; provided further, that the tax abatement provided  
865 for by this section shall not begin before October 1, 2023.

866           “(d)(1) The Mayor shall certify to the Office of Tax and Revenue a real property’s  
867 eligibility for the abatement provided by this section. The Mayor’s certification shall include:

868                           “(A) A description of the real property by street address, square, suffix,  
869 and lot;

870                           “(B) The date the certificate of occupancy was issued for the final housing  
871 unit counted toward satisfying the affordability requirements of subsection (a)(3) of this section;

872                           “(C) The date the tax abatement begins and ends under subsection (c) of  
873 this section;

874                           “(D) A statement that the conditions specified in subsection (a) of this  
875 section have been satisfied; and

876                           “(E) The amount of abatement allocated to the property pursuant to  
877 subsection (b) of this section; and

878                           “(F) Any other information that the Mayor considers necessary or  
879 appropriate.

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880                   “(2) If at any time the Mayor determines that the real property has become  
881 ineligible for the abatement provided by this section, the Mayor shall notify the Office of Tax  
882 and Revenue and shall specify the date that the property became ineligible. The entire property  
883 shall be ineligible for the abatement on the first day of the tax year following the date when the  
884 ineligibility occurred.

885                   “(e) The tax abatement provided by this section shall be in addition to, not in lieu of, any  
886 other tax relief or assistance from any other source.

887                   “(f) The requirements of the First Source Act shall not apply to the construction or  
888 development of a project developed on real property designated by the Mayor pursuant to  
889 subsection (b) of this section.

890                   “(g) For the purposes of this section, the term:

891                   “(1) “CBE Act” means the Small and Certified Business Enterprise Development  
892 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §  
893 2-218.01 *et seq.*).

894                   “(2) “Certified business enterprise” means a business enterprise or joint venture  
895 certified pursuant to the CBE Act.

896                   “(3) “Developer” means the owner of housing units on real property eligible for a  
897 tax abatement under this section.

898                   “(4) “First Source Act” means the First Source Employment Agreement Act of  
899 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

900                   “(5) “First Source Agreement” means an agreement with the District governing  
901 certain obligations of the Developer pursuant to section 4 of the First Source Act (D.C. Official

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902 Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation  
903 and employment.

904 “(6) “High-need affordable housing area” means the 4 planning areas identified in  
905 the District’s Housing Equity Report, published in October 2019, with the highest dedicated  
906 affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and  
907 Upper Northeast), plus 1,000 feet in any direction beyond any of those 4 planning area  
908 boundaries.

909 “(7) “Median Family Income” has the meaning set forth in section 101(5) of the  
910 Inclusionary Zoning Implementation Amendment Act of 2006, effective September 23, 2017  
911 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(5)).”.

912 “(h) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
913 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
914 regulations to implement this section.”.

915 **SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP**

916 Sec. 2071. Short title.

917 This subtitle may be cited as the “Healthcare Workforce Partnership Establishment  
918 Congressional Review Emergency Act of 2020”.

919 Sec. 2072. Definitions.

920 (1) “HWI grant” means the grant awarded to the Intermediary pursuant to section  
921 2073.

922 (2) “Intermediary” means the entity selected to be the Healthcare Workforce  
923 Intermediary pursuant to section 2073.



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924 (3) “Partnership” means the Healthcare Workforce Partnership established  
925 pursuant to section 2075.

926 (4) “Training” means occupational skills training for occupations in the healthcare  
927 sector.

928 (5) “WIC” means the Workforce Investment Council.

929 (6) “WIOA” means the Workforce Innovation and Opportunity Act, approved  
930 July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*).

931 Sec. 2073. Establishment of a Healthcare Workforce Intermediary.

932 (a)(1) By December 1, 2020, the WIC shall select, through award of a grant, the  
933 Healthcare Workforce Intermediary to establish, convene, and assist the Healthcare Workforce  
934 Partnership.

935 (2) Consistent with Grant Administration Act of 2013, effective December 24,  
936 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the WIC shall issue multi-year  
937 grants for a period of 4 years, subject to the availability of funds.

938 (b) The entity selected to be the Intermediary shall:

939 (1) Be a nonprofit organization, industry association, or community-based  
940 organization;

941 (2) Have a proven track record of success convening healthcare sector employers  
942 or have a significant role in the healthcare sector;

943 (3) Have existing relationships with training providers; and

944 (4) Have a proven track record of successful fundraising.

945 (c) Over the course of the HWI grant, the WIC shall:

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946 (1) Provide technical assistance to the Partnership through the Intermediary,

947 which may include:

948 (A) Assisting the Partnership in obtaining data and information from

949 District agencies;

950 (B) Providing the Partnership with customized labor market and economic

951 analysis;

952 (C) Providing the Partnership with education and guidance on WIOA; and

953 (D) Providing the Partnership with information on the number of District

954 residents that training providers have the capacity to train in healthcare occupations;

955 (2) Submit to the Partnership for feedback the proposed statement of work for any

956 grant solicitation for the provision of training at least 30 days before issuing the request for

957 proposals; and

958 (3) Use the Partnership's Healthcare Occupations Reports to align District

959 government funded workforce development training with current and future healthcare sector

960 hiring needs in the District.

961 Sec. 2074. Intermediary duties.

962 The Intermediary shall:

963 (1) By July 1, 2021:

964 (A) Appoint members to the Partnership consistent with the criteria

965 specified in section 2075(b)(3);

966 (B) Convene at least 4 Partnership meetings;

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- 967 (C) Compose and transmit to the WIC the Partnership’s first Healthcare  
968 Occupations Report, as described in section 2075(e);
- 969 (2) For the duration of the grant:
- 970 (A) Provide administrative support to the Partnership;
- 971 (B) Convene Partnership meetings at least quarterly;
- 972 (C) Compile and transmit to the WIC feedback from the Partnership on  
973 any statement of work for a proposed grant solicitation for the provision of training no more than  
974 15 days after receiving the statement of work pursuant to section 2073(d)(2);
- 975 (D) Work with the Partnership to coordinate and ensure provision of  
976 career coaching, screening and referral services, practice interviews, and job fairs for healthcare  
977 sector employment for qualified District training graduates;
- 978 (E) Facilitate requests for professional development and learning  
979 opportunities for training providers and training participants at healthcare facilities;
- 980 (F) Annually, compose and transmit the Partnership’s Healthcare  
981 Occupations Report, as described in section 2075(e); and
- 982 (G) Perform additional duties on behalf of the Partnership consistent with  
983 the purposes of this subtitle and as funds permit; and
- 984 (3) During the fourth year of the HWI grant, raise private funds equal to the value  
985 of the HWI grant for that year, which the Intermediary shall reserve for use until after the  
986 expiration of the HWI grant in order to sustain the Partnership without dedicated District  
987 government funding.
- 988

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989           Sec. 2075. Healthcare Workforce Partnership.

990           (a) The Intermediary shall establish the Healthcare Workforce Partnership, which shall  
991 work to increase the number of District residents employed in the healthcare sector and to meet  
992 the staffing needs of District healthcare employers, particularly of hospitals that receive District  
993 government funds.

994           (b)(1) The Director of the WIC, or the Director's designee, shall serve as a member of the  
995 Partnership.

996                       (2) The Intermediary shall serve as a member of the Partnership and shall appoint  
997 community members in consultation with the WIC.

998                       (3) Community members, the majority of which shall be healthcare sector  
999 employers, shall consist of the following:

1000                               (A) At least 5 employer representatives of the District's healthcare sector,  
1001 which shall represent a variety of healthcare disciplines;

1002                               (B) At least one representative of a healthcare industry trade association;

1003                               (C) At least one representative from a labor organization that represents  
1004 healthcare workers;

1005                               (D) At least one representative from a nonprofit organization that offers  
1006 training programs; and

1007                               (E) At least one representative from an adult education integrated  
1008 education and training program, as defined in 34 C.F.R. § 463.35, in the healthcare sector.

1009           (c) Community members shall serve for the duration of the HWI grant and may be  
1010 reappointed.

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1011 (d) The Partnership shall meet at least once each quarter for the duration of the HWI  
1012 grant.

1013 (e) No later than July 1, 2021, and annually thereafter in advance of the start of a new  
1014 fiscal year, the Partnership shall submit to the WIC, through the Intermediary, its Healthcare  
1015 Occupations Report, which shall contain the following:

1016 (1) Recommendations of 3 to 5 healthcare occupations requiring less than a  
1017 bachelor's degree, which may include occupations for which incumbent workers may be  
1018 upskilled, in which the District should invest in training;

1019 (2) A summary of the occupational hiring needs of hospitals receiving or  
1020 committed to receive District government funds, including an estimate of the number of workers  
1021 needed, disaggregated by healthcare occupation;

1022 (3) A recommendation of the number of District residents the WIC should train in  
1023 the occupations identified pursuant to paragraph (1) of this subsection;

1024 (4) A list of occupational skills required to obtain employment in the occupations  
1025 identified pursuant to paragraph (1) of this subsection;

1026 (5) Recommendations of curricula for training in the occupations identified  
1027 pursuant to paragraph (1) of this subsection;

1028 (6) An explanation of the feasibility of providing virtual training or distance  
1029 learning, and recommendations to implement virtual training;

1030 (7) Customized healthcare career pathway maps for the occupations identified  
1031 pursuant to paragraph (1) of this subsection;

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1032 (8) Recommendations of strategies and tactics to increase the capacity of training  
1033 providers to train District residents; and

1034 (9) Recommendations to attract District residents to, and retain District residents  
1035 in, the occupations identified pursuant to paragraph (1) of this subsection, including necessary  
1036 tactics to increase candidates' hard and soft skills and to reduce barriers to employment.

1037 Sec. 2076. Establishment of a healthcare training program.

1038 (a) By September 1, 2021, the WIC shall establish a healthcare training program  
1039 ("program") to fund or arrange for training of District residents in a minimum of 2 healthcare  
1040 occupations identified in the Partnership's first Healthcare Occupations Report, issued pursuant  
1041 to section 2075(e), which may include one occupation for upskilling of incumbent workers.

1042 (b) To provide training, the WIC may:

1043 (1) Issue healthcare training grants ("grants") to train providers, pursuant to  
1044 section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000  
1045 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)); or

1046 (2) Partner with the University of the District of Columbia Community College or  
1047 Office of the State Superintendent of Education.

1048 (c)(1) If the program includes a grant, subject to availability of funds, each grant shall be  
1049 for not less than \$100,000 per year for 3 years to provide training for District residents.

1050 (2) To be eligible for a grant, a grantee shall:

1051 (A) Be licensed by the Higher Education Licensure Commission as a  
1052 post-secondary institution, degree or non-degree seeking;

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1053 (B) Agree to utilize the training curricula recommended by the Partnership  
1054 pursuant to section 2075(e)(5); and

1055 (C) Demonstrate consistent successful attainment of the following  
1056 benchmarks for its training participants:

1057 (i) Completion of training;

1058 (ii) Credential attainment;

1059 (iii) Unsubsidized employment in the occupation of training; and

1060 (iv) Retention of employment for 6 months or longer in the  
1061 occupation of training.

1062 (3) Preference shall be given to grant applicants utilizing an integrated education  
1063 and training model, as defined 34 C.F.R. § 463.35.

1064 (d)(1) The WIC shall utilize WIOA common performance measures to track program  
1065 performance.

1066 (2) The WIC shall report on the performance of the program as required by  
1067 section 102 of the Workforce Development System Transparency Amendment Act of 2018,  
1068 effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

1069 (e) The WIC shall make its best effort to use WIOA Title I funds to issue any grants  
1070 authorized in this section.

1071 Sec. 2077. Monitoring and evaluation.

1072 By August 1, 2021, and annually thereafter, the WIC shall transmit to the Mayor and the  
1073 Council the Healthcare Occupation Report developed by the Partnership pursuant to section  
1074 2075(e).

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1075           **SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER**

1076   **ENGAGEMENT**

1077           Sec. 2081. Short title.

1078           This subtitle may be cited as the “DC Infrastructure Academy Employer Engagement  
1079 Congressional Review Emergency Amendment Act of 2020”.

1080           Sec. 2082. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-  
1081 46; D.C. Official Code § 32-241 *et seq.*), is amended as follows:

1082           (a) Section 2 (D.C. Official Code § 32-241) is amended as follows:

1083                   (1) A new paragraph (1A) is added to read as follows:

1084                           “(1A) “Committees” means the Industry Advisory Committees established  
1085 pursuant to section 2f.”.

1086                   (2) A new paragraph (2A) is added to read as follows:

1087                           “(2A) “DCIA” means the DC Infrastructure Academy established by the Mayor.”.

1088           (b) Section 2a(a-2) (D.C. Official Code § 32-242(a-2)) is repealed.

1089           (c) New sections 2e and 2f are added to read as follows:

1090                   “Sec. 2e. DC Infrastructure Academy.

1091                   “(a) In addition to duties the Mayor prescribes, the DCIA shall:

1092                           “(1) Provide occupational skills training (“skills training”) annually in industries  
1093 for which there is significant demand regionally or by a major employer, including construction,  
1094 infrastructure, and information technology;

1095                           “(2) Provide occupational skills training designed to meet the needs of employers  
1096 by:



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1097 “(A) Aligning skills training, where appropriate, with the annual

1098 recommendations the committees submit to the DCIA pursuant to section 2f(c);

1099 “(B)(i) Submitting a proposed curriculum, at least 30 calendar days prior

1100 to the start of any skills training taught by DCIA staff, to the relevant committee for its feedback;

1101 and

1102 “(ii) Taking into consideration any feedback from a committee

1103 when implementing any skills trainings taught by DCIA staff;

1104 “(C)(i) Submitting to the relevant committee, at least 30 calendar days

1105 before soliciting applications or bids on a grant or contract to provide skills training, a request

1106 that the committee review a grant or contract solicitation’s proposed scope of work; and

1107 “(ii) Considering any feedback received from a committee when

1108 preparing statements of work for grants and contracts to provide skills training; and

1109 “(D) For any customized skills training provided specifically for a

1110 particular employer, seeking input from the employer consistent with the requirements outlined

1111 in subparagraphs (B) and (C) of this paragraph;

1112 “(3) Provide test preparation sessions and practice exams to ready participants to

1113 obtain the occupational credentials the committees identify in their annual reports pursuant to

1114 section 2f(c)(4); and

1115 “(4) Provide job referrals, as defined in 20 C.F.R. § 651.10, to employers in the

1116 industry sectors in which training is offered pursuant to paragraph (1) of this subsection for all

1117 qualified graduates of DCIA training programs.

1118 “(b) DCIA skills training may include:

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1119                   “(1) Training services enumerated in section 134(c)(3)(D) of the Workforce  
1120 Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1529; 29 U.S.C. §  
1121 3174(c)(3)(D));

1122                   “(2) Supportive services, as defined in 20 C.F.R. § 651.10;

1123                   “(3) Integrated education and training, as defined in 34 C.F.R. § 463.35;

1124                   “(4) Workforce preparation activities, as defined in 34 C.F.R. § 463.34; and

1125                   “(5) Job development, as defined in 20 C.F.R. § 651.10.

1126                   “(c)(1) At least 66% of the participants receiving skills training through the DCIA each  
1127 fiscal year shall be trained in occupations that pay an average wage that is at least 150% of the  
1128 minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective  
1129 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).

1130                   “(2) At least 25% of the value of each grant or contract with a skills training  
1131 provider shall be contingent on the provider achieving at least one of the following results:

1132                                 “(A) At least 75% of the provider’s participants receive an industry-  
1133 recognized credential; and

1134                                 “(B) At least 80% of the provider’s participants enter permanent,  
1135 unsubsidized employment in the occupation of training.

1136                   “Sec. 2f. Industry advisory committees.

1137                   “(a)(1) The Director shall establish industry advisory committees to advise DCIA on  
1138 occupational skills training offerings with the goal of aligning DCIA’s trainings with industry  
1139 hiring needs.

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1140                   “(2) There shall be one committee per industry sector in which DCIA offers  
1141 occupational skills training pursuant to section 2e(a)(1).

1142                   “(3) Each committee shall consist of representatives of at least 2 employers from  
1143 the relevant industry sector, whom the Director shall appoint.

1144                   “(4)(A) The Director shall make initial appointments to the committees within 30  
1145 days of the effective date of this subtitle.

1146                   “(B) Committee members shall disclose all existing and potential conflicts  
1147 of interest to the Director. No committee member may, in any manner, directly or indirectly,  
1148 participate in a deliberation upon, or the determination of, any question affecting the financial  
1149 interest of any corporation, partnership, or association in which the member or a member of the  
1150 member’s family is directly or indirectly interested. Committee members shall disclose the  
1151 nature of any financial or personal relationships with any training providers by completing a  
1152 conflict of interest form.

1153                   “(b) No later than December 15, 2020, and annually thereafter in advance of the start of a  
1154 new fiscal year, each Committee shall submit written recommendations to DCIA, which shall  
1155 contain the following:

1156                   “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA  
1157 should offer;

1158                   “(2) The number of District residents DCIA should train in the occupations  
1159 identified pursuant to paragraph (1) of this subsection;

1160                   “(3) Occupational skills required to obtain employment in the occupations  
1161 identified pursuant to paragraph (1) of this subsection;

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1162 “(4) A description of tools, equipment, and services necessary to conduct  
1163 trainings to acquire the skills identified in paragraph (3) of this subsection;

1164 “(5) Industry-recognized credentials required for obtaining employment in the  
1165 occupations identified pursuant to paragraph (1) of this subsection, when appropriate; and

1166 “(6) The feasibility of providing virtual training or distance learning and  
1167 recommendations to implement virtual training.

1168 “(c) After receiving a proposed training curriculum from the DCIA pursuant to section  
1169 2e(a)(2)(B)(i), a Committee shall provide the DCIA with a written explanation of recommended  
1170 modifications, if any.

1171 “(d) Within 30 calendar days after receiving a proposed scope of work for a grant or  
1172 contract from DCIA pursuant to section 2e(a)(2)(C)(i), the Committee shall provide DCIA with a  
1173 written explanation of recommended modifications, if any.”.

1174 **SUBTITLE J. WORKPLACE LEAVE NAVIGATORS**

1175 Sec. 2091. Short title.

1176 This subtitle may be cited as the “Workplace Leave Navigators Program Establishment  
1177 Congressional Review Emergency Amendment Act of 2020”.

1178 Sec. 2092. Definitions.

1179 For the purposes of this subtitle, the term:

1180 (1) “Director” means the director of DOES.

1181 (2) “DOES” means the Department of Employment Services.

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1182 (3) “Family and medical leave” means leave available under the District of  
1183 Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181;  
1184 D.C. Official Code § 32-501 *et seq.*).

1185 (4) “Paid sick leave” means leave available under the Accrued Sick and Safe  
1186 Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01  
1187 *et seq.*).

1188 (5) “Universal paid leave” means leave benefits available under the Universal  
1189 Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official  
1190 Code § 32-541.01 *et seq.*).

1191 (6) “Workplace leave” means universal paid leave, paid sick leave, family and  
1192 medical leave, or any other job-protected leave to which an individual may be entitled under  
1193 federal or District law.

1194 Sec. 2093. Workplace Leave Navigators Program.

1195 (a) There is established a Workplace Leave Navigators Program (“Program”), which the  
1196 Director shall administer.

1197 (b) The Program shall be funded with monies from the Universal Paid Leave  
1198 Administration Fund, established pursuant to section 1153 of the Universal Paid Leave  
1199 Implementation Fund Congressional Review Emergency Act of 2016, passed on emergency  
1200 basis on October 6, 2020 (Enrolled version of Bill 23-000).

1201 (c) The Program shall provide funds to:

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1202 (1) Organizations with demonstrated experience representing employees in  
1203 matters related to workplace leave solely for the purpose of specific assistance to individuals in  
1204 obtaining their workplace leave and benefits; and

1205 (2) Nonprofit organizations, businesses, or professional or trade associations with  
1206 experience representing or assisting employers with the administration or understanding of  
1207 workplace leave laws for the purpose of providing assistance to employers to share best practices  
1208 or guidance regarding how to:

1209 (A) Coordinate and accommodate different types of workplace leave,  
1210 along with employer-sponsored disability plans; and

1211 (B) Ensure compliance with workplace leave laws.

1212 (d)(1) Program funds issued to organizations for the purposes described in subsection  
1213 (c)(1) of this section:

1214 (A) Shall be used solely to assist individuals with:

1215 (i) Filing an initial claim for universal paid leave;

1216 (ii) Determining the type of workplace leave or employer-offered  
1217 leave, including an employer-sponsored disability plan, for which an individual may be eligible;

1218 (iii) Filing an administrative complaint related to the provision of  
1219 workplace leave, including a complaint of retaliation;

1220 (iv) Responding to or appealing an initial administrative decision  
1221 or determination related to workplace leave; or

1222 (v) Providing an employer with appropriate documentation  
1223 supporting a request for workplace leave; and

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1224 (B) May be used to provide training and guidance to medical providers or  
1225 healthcare trade or professional associations on the requirements of workplace leave laws  
1226 pertaining to documentation supporting the need for leave.

1227 (2) Program funds issued to non-profits, businesses, or professional or trade  
1228 associations assisting employers for the purposes described in subsection (c)(2) of this section:

1229 (A) Shall be used to:

1230 (i) Assist employers with coordinating the employer's workplace  
1231 leave programs, including employer-sponsored disability plans, with workplace leave laws;  
1232 provided, that Program funds shall not be used to decide an employee's eligibility for a  
1233 workplace leave program or for the pre-adjudication of a workplace leave claim;

1234 (ii) Provide guidance, including best practices, to an employer on  
1235 what an employer must do to comply with District and federal workplace leave laws and  
1236 regulations;

1237 (iii) Aid employers in responding to DOES's request for  
1238 information from the employers, including requests related to claim determinations made by  
1239 DOES;

1240 (iv) Responding to an administrative complaint related to the  
1241 provision of workplace leave; provided, that Program funds shall not be used to respond to a  
1242 complaint of retaliation;

1243 (v) Responding to or appealing an initial administrative decision or  
1244 determination related to workplace leave; and

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1245 (B) May be used to provide training and guidance to medical providers or  
1246 healthcare trade or professional associations on the requirements of workplace leave laws.

1247 (e) Funds for the Program may not be used to prosecute or defend claims in a lawsuit  
1248 related to the provision of workplace leave.

1249 (f)(1) The Director shall issue Program funds through competitive grants administered  
1250 pursuant to the requirements set forth in the Grant Administration Act of 2013, effective  
1251 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and section 2(b-1)  
1252 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23,  
1253 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05(b-1)).

1254 (2) The Director shall issue an initial Request for Applications no later than  
1255 October 31, 2020, and annually thereafter. The Director may issue multi-year grants, subject to  
1256 the availability of appropriations.

1257 (3) In a fiscal year, the amount of grants the Director issues for the purposes  
1258 described in subsection (c)(1) and (2) of this section shall account for the need for each such  
1259 purpose, based on the potential numbers of employees and employers to be served.

1260 **SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM**

1261 Sec. 2101. Short title.

1262 This subtitle may be cited as the “School Year Internship Pilot Program Congressional  
1263 Review Emergency Amendment Act of 2020”.

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1265           Sec. 2102. Section 2a(a) of the Youth Employment Act of 1979, effective January 5,  
1266   1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)), is amended by adding a new paragraph  
1267   (2A) to read as follows:

1268                   “(2A) School year internship pilot. —

1269                           “(A) In Fiscal Year 2021, a pilot program called the School Year  
1270   Internship Pilot Program (“Program”) for 250 District high school students to provide work-  
1271   based learning opportunities during the school year.

1272                           “(B)(i) High school students including students from public schools,  
1273   public charter schools, private schools, and students who are homeschooled, may apply to the  
1274   Department of Employment Services (“DOES”) to be matched with an internship host through  
1275   the Program; provided, that a student may not otherwise participate in an internship, in-school  
1276   youth employment, or a work-readiness program.

1277                           “(ii) DOES shall give the applications of at-risk students priority  
1278   over all other applications.

1279                           “(iii) For the purposes of this subparagraph the term “at-risk”  
1280   means a public school, public charter school, private school, or homeschool student who is  
1281   identified as one or more of the following:

1282                                   “(I) Homeless;

1283                                   “(II) In the District’s foster care system;

1284                                   “(III) Qualifies for the Temporary Assistance for Needy

1285   Families program or the Supplemental Nutrition Assistance Program; or

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1286 “(IV) A high school student that is one year older, or more,  
1287 than the expected age for the grade in which the student is enrolled.

1288 “(C) DOES shall notify students of their placement with an internship host  
1289 by January 5, 2021.

1290 “(D) Interns shall remain matched with their internship host between  
1291 January 2021 and June 2021.

1292 “(E) DOES shall pay interns a training rate of \$10 per hour, which it shall  
1293 pay by way of a debit card provided to the intern or by direct deposit.

1294 “(F)(i) Internship hosts may be nonprofit organizations, public schools or  
1295 public charter schools, government agencies, or private businesses.

1296 “(ii) Prospective internship hosts shall submit applications to  
1297 participate in the Program no later than December 1, 2020. The application shall include a  
1298 detailed job description that identifies specific tasks, projects, or duties that the intern will  
1299 perform and the name and job title of the individual who will directly supervise the intern.

1300 “(iii) DOES shall review internship host applications and shall give  
1301 priority to applications that will engage an intern in work experience activities, rather than work  
1302 readiness activities, for the majority of an intern’s time.

1303 “(G) DOES shall implement the Program through public-private  
1304 partnerships between the District government and an internship host that has the ability to  
1305 employ youth under the Program, subject to all federal and District laws, rules, and regulations  
1306 relating to the procurement and award of contracts, grants, or other government assistance.

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1307                           “(H)(i) DOES shall develop benchmarks for interns’ growth and  
1308 development in work readiness, which internship hosts shall utilize to assess an intern’s work  
1309 readiness.

1310                           “(ii) An internship host shall provide its written assessment of an  
1311 intern’s work readiness to DOES within 30 days after the end of the internship.”.

1312                   Sec. 2103. The Department of Employment Services Local Job Training Quarterly  
1313 Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official  
1314 Code § 32–771), is amended by adding a new section 2083 to read as follows:

1315                   “Sec. 2083. Department of Employment Services annual report on year-round youth  
1316 programs.

1317                   “(a) Starting December 15, 2020, and annually thereafter, the Department of Employment  
1318 Services (“Department”) shall publish on its website and submit to the Council a report on the  
1319 operations of its year-round youth programs, including:

1320                           “(1) The In-School Youth Program;

1321                           “(2) The Out-of-School Youth Program;

1322                           “(3) The Marion Barry Youth Leadership Institute;

1323                           “(4) Pathways for Young Adults Program;

1324                           “(5) Youth Earn and Learn Program;

1325                           “(6) The High School Internship Program;

1326                           “(7) In-School Youth Innovation Grants; and

1327                           “(8) In-school DCHR internship program.

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1328           “(b) The report shall include the following information for each program from the  
1329 previous fiscal year:

1330                   “(1) The number of participants newly enrolled;

1331                   “(2) The total number of participants, disaggregated by ward, grade, school, age,  
1332 and, if known, at-risk status;

1333                   “(3) Each program’s total expenditures, disaggregated by fund type (federal,  
1334 local, intra-District, or special purpose revenue funds); and

1335                   “(4) The names of any vendors, grantees, host employers (including public  
1336 schools and public charter schools for the High School Internship Program), host sites, or other  
1337 organizations providing services to youth.

1338           “(c) The Department may withhold from the report required pursuant to subsection (b) of  
1339 this section any information precluded from release by federal law, rule, or policy; provided,  
1340 that, if at a later time, such information may be released, the Department shall supplement the  
1341 next annual report following the date on which the information may be shared with the withheld  
1342 information.

1343           “(d) For the purposes of this section, the term “at-risk” means a public school, public  
1344 charter school, private school, or homeschool student who is identified as one or more of the  
1345 following:

1346                   “(1) Homeless;

1347                   “(2) In the District’s foster care system;

1348                   “(3) Qualifies for the Temporary Assistance for Needy Families program or the  
1349 Supplemental Nutrition Assistance Program; or

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1350                   “(4) A high school student that is one year older, or more, than the expected age  
1351 for the grade in which the student is enrolled.”.

1352                   **SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION**

1353                   Sec. 2111. Short title.

1354                   This subtitle may be cited as the “Unemployment Insurance Modernization Requirements  
1355 Congressional Review Emergency Act of 2020”.

1356                   Sec. 2112. Unemployment insurance modernization requirements.

1357                   (a) The Department of Employment Services (“DOES”) shall launch an integrated, fully  
1358 modernized, and fully functioning unemployment insurance information technology benefits and  
1359 tax system (“benefits system”) for public use no later than September 30, 2022.

1360                   (b) The benefits system shall include an internet accessible public interface that:

1361                           (1) Can be accessed from all major internet browsers and used on mobile devices  
1362 and personal computers;

1363                           (2) Is accessible to people with disabilities in compliance with section 504 of the  
1364 Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 394; 29 U.S.C. § 794), and  
1365 Title II of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 337;  
1366 42 U.S.C. § 12131 *et seq.*); and

1367                           (3) Complies with the Language Access Act of 2004, effective June 19, 2004  
1368 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

1369                   (c)(1) The Office of Contracting and Procurement (“OCP”), in consultation with DOES,  
1370 should issue a Request for Proposals for the full modernization of the benefits system, consistent  
1371 with the requirements of subsections (a) and (b) of this section, no later than October 30, 2020.

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1372 (2) The OCP should award a contract for the full modernization of the benefits  
1373 system no later than January 15, 2021.

1374 Sec. 2113. (a) Beginning no later than 15 days after the effective date of this subtitle, on  
1375 any day when American Job Centers are closed (excluding weekends, holidays, and staff training  
1376 days), the Department of Employment Services (“DOES”) shall provide the following materials  
1377 at its headquarters from 8:30 a.m. to 5:00 p.m.:

1378 (1) Hard copies of unemployment insurance benefits applications, with hard  
1379 copies of all instructions that are available online for completing the application;

1380 (2) Hard copies of DOES complaint forms for violations of District labor laws,  
1381 including wage and hour, accrued paid sick time, and workers’ compensation laws, with hard  
1382 copies of all instructions that are available online for completing each form;

1383 (3) Envelopes individuals may use in submitting their applications and complaint  
1384 forms, with space on the outside to identify the form being submitted; and

1385 (4) A locked box with a slot into which individuals may deposit their completed  
1386 applications and complaint forms.

1387 (b) The DOES shall make the materials identified in subsection (a) of this section  
1388 available in a location at its headquarters that is publicly and handicap accessible.

1389 **SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY**

1390 Sec. 2121. Short title.

1391 This subtitle may be cited as the “District Government Transgender and Non-Binary  
1392 Employment Study Congressional Review Emergency Act of 2020”.

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1394           Sec. 2122. The District of Columbia Government Comprehensive Merit Personnel Act of  
1395 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*), is  
1396 amended by adding a new Title VII-B to read as follows:

1397           “TITLE VII-B GENDER IDENTITY STUDY

1398           “Sec. 760. Definitions.

1399           “For the purposes of this title, the term:

1400                   “(1) “Cisgender” means individuals whose sex assigned at birth matches the  
1401 individual’s perceived gender.

1402                   “(2) “Gender identity” means an individual’s internal sense of the individual’s  
1403 gender, which may be the same as or different from sex assigned at birth and can include male,  
1404 female, neither, or both.

1405                   “(3) “Non-binary” includes individuals whose gender identity is neither entirely  
1406 male nor entirely female, or varies between the two.

1407                   “(4) “Transgender” includes individuals whose gender identity or expression is  
1408 different from that typically associated with their assigned sex at birth.

1409           “Sec. 761. Study of transgender and non-binary employment.

1410           “(a) The Mayor shall contract with an entity to conduct a study of employment data,  
1411 hiring and recruitment practices, and workplace climate in District government agencies in  
1412 relation to people who are transgender or non-binary. At a minimum, the study shall include:

1413                   “(1) A census of employees who identify as transgender or non-binary, including  
1414 information on the employees’ race and ethnicity, gender identity, and age;

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1415                   “(2) A review of District government agencies’ transgender and non-binary  
1416 inclusion policies, including policies developed under the Human Rights Act of 1977, effective  
1417 December 13, 1977, (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*) (“Human Rights  
1418 Act”), and any regulations promulgated pursuant to the Human Rights Act, and an evaluation of  
1419 the extent to which District government agencies have implemented such polices and how  
1420 transgender and non-binary employees experience such polices;

1421                   “(3) An evaluation of District government agencies’ actual recruitment, hiring,  
1422 retention, and promotion practices related to prospective and current transgender and non-binary  
1423 employees;

1424                   “(4) An analysis of any disparities in earnings, title, pay grade, length of time in  
1425 position, and educational attainment between employees who identify as transgender or non-  
1426 binary and employees who identify as cisgender;

1427                   “(5) An assessment of transgender and non-binary employees’ workplace  
1428 experiences as employees of District government agencies, including experiences of  
1429 discrimination, harassment, or mistreatment on the job;

1430                   “(6) An evaluation of data, including participant demographics and program  
1431 outcomes, for transgender or non-binary participants in the Department of Employment Services’  
1432 job training programs; and

1433                   “(7) Recommendations for District government agencies on improving  
1434 employment and hiring practices as they relate to individuals who are transgender or non-binary.

1435                   “(b) The contractor may survey employees to gather data for the purposes of the study.

1436                   “(c) The contractor completing the study shall:



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- 1437                   “(1) Have, or partner with another entity with, experience studying and  
1438 knowledge of sexual orientation and gender identity;
- 1439                   “(2) Include a statement in requests for information and surveys sent to employees  
1440 explaining that providing information is voluntary;
- 1441                   “(3) Ensure the privacy, dignity, and confidentiality of employees;
- 1442                   “(4) Not disclose, or retain after the study is complete, personally identifiable  
1443 information gathered in the course of the study; and
- 1444                   “(5) Consult with the Office of Human Rights in developing a detailed proposed  
1445 plan of the study, surveys to be administered, and any resulting recommendations from the  
1446 entity.
- 1447                   “(d) The Mayor may use electronic communication tools, including e-mail, to facilitate  
1448 the contractor’s outreach to District government employees.
- 1449                   “(e) The Mayor shall:
- 1450                   “(1) Review the contractor’s proposals and recommendations to ensure they are  
1451 consistent with the Human Rights Act;
- 1452                   “(2) Review data, with personally identifiable information removed, on  
1453 harassment and discrimination complaints filed by transgender and non-binary employees  
1454 against District government agencies since January 1, 2015;
- 1455                   “(3) Provide the contractor with the information necessary to facilitate subsection  
1456 (a) of this section; and

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1457                   “(4) Submit a final report with findings and recommendations to the Council no  
1458 later than December 31, 2021. The final report submitted to the Council shall not contain any  
1459 personally identifiable information.”.

1460                   **SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION**

1461                   Sec. 2131. Short title.

1462                   This subtitle may be cited as the “Tipped Workers Fairness Clarification Congressional  
1463 Review Emergency Amendment Act of 2020”.

1464                   Sec. 2132. The Tipped Wage Workers Fairness Amendment Act of 2018, effective  
1465 December 13, 2018 (D.C. Law 22-196; D.C. Official Code § 32-161 *et seq.*), is amended as  
1466 follows:

1467                   (a) Section 3 (D.C. Official Code § 32-161) is amended as follows:

1468                   (1) Subsection (a)(1) is amended as follows:

1469                   (A) The lead-in language is amended by striking the phrase “By April 1,  
1470 2020” and inserting the phrase “Within 120 days after the date this section becomes applicable”  
1471 in its place.

1472                   (B) Subparagraph (F) is repealed.

1473                   (2) Subsection (b) is amended as follows:

1474                   (A) Paragraph (1) is amended as follows:

1475                   (i) The lead-in language is amended by striking the phrase “By  
1476 April 1, 2020” and inserting the phrase “Within 120 days after the date this section becomes  
1477 applicable” in its place.

1478                   (ii) Subparagraph (B) is amended to read as follows:

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1479                           “(B) The following text formatted in a large font and for maximum  
1480 readability, including the use of bullet points to call out each specified right on a separate line:

1481                   “EMPLOYEE RIGHTS IN THE DISTRICT OF COLUMBIA: Do you know your rights  
1482 as an employee working in Washington, D.C.? Employees have the right:

- 1483           • To be paid at least the minimum wage;
- 1484           • To be paid on time;
- 1485           • To receive a detailed pay stub;
- 1486           • To accrue and use paid sick and safe leave;
- 1487           • To request time off to attend a child’s school-related activities;
- 1488           • To qualify for unpaid family and medical leave;
- 1489           • To be compensated for work-related illness or injury;
- 1490           • To remain free from discrimination;
- 1491           • To be accommodated in the workplace during pregnancy;
- 1492           • To remain free from employer retaliation for discussing or exercising any of these rights;
- 1493           and
- 1494           • To file a complaint for violation of workplace rights with the Department of Employment  
1495           Services (DOES) or the Office of Human Rights (OHR),
- 1496           To learn about these and other workplace rights, visit the website below. This notice does not  
1497           create, expand, or limit rights under District or federal law.”.

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1498 (B) Paragraph (2) is amended by striking the phrase “The poster” and  
1499 inserting the phrase “Below the text required pursuant to paragraph (1)(B) of this subsection, the  
1500 poster” in its place.

1501 (3) Subsection (d)(6) is repealed.

1502 Sec. 2133. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993  
1503 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

1504 (a) Section 10a (D.C. Official Code § 32-1009.01) is amended as follows:

1505 (1) Subsection (a) is amended to read as follows:

1506 "(a)(1) As of January 1, 2020, the third-party payroll businesses required pursuant  
1507 to section 9(a-1) to process payroll for an employer that employs a tipped worker and hotel  
1508 employers that employ a tipped worker shall submit a quarterly wage report for the preceding  
1509 calendar quarter to the Mayor no later than 30 days after the end of each calendar quarter.

1510 “(2) Each quarterly wage report shall certify that each tipped worker was paid at  
1511 least the required minimum wage, including gratuities, and shall include the following:

1512 “(A) Itemized, for each tipped worker, the worker’s:

1513 “(i) Name;

1514 “(ii) Average hourly wage received per week during the quarter;

1515 “(iii) Total hours worked at or above the minimum hourly wage  
1516 established under section 4(f) per week;

1517 “(iv) Gross wages received per week; and

1518 “(v) Total gratuities received per week.

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1519                           “(B) For a hotel employer, a certification that all of the information in the  
1520 report is accurate;

1521                           “(C) For a third-party payroll business, a certification that the information  
1522 in the report was generated using the same payroll data used to generate the information required  
1523 to be furnished to employees pursuant to section 9(b); and

1524                           “(D) If tips were shared, a copy of the employer’s tip-sharing policy used  
1525 during the quarter, unless the third-party payroll business and the employer have agreed that the  
1526 employer will submit the tip-sharing policy, in which case, a certification that such an agreement  
1527 was in place during the calendar quarter.

1528                           “(3)(A) An employer that agrees to submit its tip-sharing policy directly to the  
1529 Mayor shall submit the policy to the Mayor no later than 30 days after the end of each calendar  
1530 quarter.

1531                           “(B) If the Mayor does not receive the tip-sharing policy of an employer  
1532 that employs a tipped worker by the submission deadline for quarterly wage reports, the Mayor  
1533 shall presume that the employer did not have a tip-sharing policy in place during the calendar  
1534 quarter.”.

1535                           (2) Subsection (b)(2) is amended to read as follows:

1536                           “(2) A person required to submit documents pursuant to subsection (a) of this  
1537 section shall submit the documents online through the Internet-based portal, unless the Mayor  
1538 exempts the person from online reporting because it creates a hardship for the person, in which  
1539 case, the person shall submit the documents in hard-copy form.”.

1540                           (3) A new subsection (d) is added to read as follows:

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1541                   “(d) For the purposes of this section the term “tipped worker” means an employee  
1542 paid in accordance with section 4(f).”.

1543                   (b) Section 12(d)(1) (D.C. Official Code § 32-1011(d)(1)) is amended by adding a new  
1544 subparagraph (E-i) to read as follows:

1545                                 “(E-i) \$500 against an employer for each failure to timely submit the  
1546 quarterly wage report required pursuant to section 10a, in its entirety, unless the employer proves  
1547 that it used a third-party payroll business to process the relevant quarter’s payroll for the  
1548 employer.”.

1549                   **SUBTITLE O. UNIVERSAL PAID LEAVE FUND**

1550                   Sec. 2141. Short title.

1551                   This subtitle may be cited as the “Universal Paid Leave Fund Congressional Review  
1552 Emergency Amendment Act of 2020”.

1553                   Sec. 2142. The Universal Paid Leave Implementation Fund Act of 2016, effective  
1554 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended as follows:

1555                   (a) A new section 1151a is added to read as follows:

1556                                 “Sec. 1151a. Definitions.

1557                                 “For the purposes of this subtitle, the term “Act” means the Universal Paid Leave  
1558 Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-  
1559 541.01 *et seq.*)”.

1560                   “(b) Section 1152 (D.C. Code § 32-551.01) is amended as follows:

1561                                 “(1) The section heading is amended by striking the phrase “Universal Paid Leave  
1562 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

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1563                   “(2) Subsection (a) is amended by striking the phrase “Universal Paid Leave  
1564 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1565                   (3) Subsection (b) is amended to read as follows:

1566                   “(b) Money in the Fund shall be used to:

1567                   (1) Pay benefits provided under the Act; and

1568                   (2) Fund the Universal Paid Leave Administration Fund established pursuant to  
1569 section 1153(a) in the following amounts:

1570                   “(A) No more than 8.75% of money in the Fund for the purposes  
1571 described in section 1153(c)(1);

1572                   “(B) No more than .75% of the money in the Fund for the purposes  
1573 described in section 1153(c)(2); and

1574                   “(C) No more than 0.5% of the money in the Fund for the purposes  
1575 described in section 1153(c)(3).

1576                   (c) A new section 1153 is added to read as follows:

1577                   “Sec. 1153. Universal Paid Leave Administration Fund.

1578                   “(a) There is established as a special fund the Universal Paid Leave Administration Fund  
1579 (“Fund”), which shall be administered by the Department of Employment Services (“DOES”) in  
1580 accordance with subsections (c), (d), (e), and (f) of this section.

1581                   “(b) Pursuant to section 1152(b)(2), amounts appropriated from the Universal Paid Leave  
1582 Fund annually for the purposes described in subsection (c) of this section shall be deposited in  
1583 the Fund.

1584                   “(c) Money in the Fund shall be used for the following purposes:

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1585                   “(1) Administration of the Act by DOES, including public education pursuant to  
1586 section 106(j) of the Act (D.C. Official Code § 32-541.06(j)); provided, that no more than 6% of  
1587 the money appropriated annually for administration may be used for public education and of  
1588 those public education funds, at least \$500,000 shall be used to fund the Workplace Leave  
1589 Navigators Program established pursuant to section 2093 of the Workplace Leave Navigators  
1590 Program Establishment Congressional Review Emergency Amendment Act of 2020, passed on  
1591 emergency basis on October 6, 2020 (Enrolled version of Bill 23-000);

1592                   “(2) Enforcement of section 108(e) and section 110(a) and (b) of the Act by the  
1593 Office of Human Rights, which may include education and outreach on individuals’ rights under  
1594 the Act; and

1595                   “(3) Hearing of appeals of claim determinations by the Office of Administrative  
1596 Hearings, pursuant to section 108(a), (b), and (c) of the Act (D.C. Official Code § 32-541.08(a),  
1597 (b), and (c)).

1598                   “(d) Beginning no later than October 1, 2020, and by October 1 annually thereafter,  
1599 DOES shall execute a Memorandum of Understanding with the Office of Human Rights for the  
1600 intradistrict transfer of funds appropriated, pursuant to subsection (c)(2) of this section, for  
1601 enforcement; provided, that DOES shall transfer funds appropriated for enforcement to the  
1602 Office of Human Rights no later than October 2 of any year even if the agencies fail to execute a  
1603 Memorandum of Understanding by October 1 of that year.

1604                   “(e) Beginning no later than October 1, 2020 and by October 1 annually thereafter, DOES  
1605 shall execute a Memorandum of Understanding with the Office of Administrative Hearings for  
1606 the intradistrict transfer of funds appropriated, pursuant to subsection (c)(3) of this section, for



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1607 hearing of appeals of claim determinations; provided, that DOES shall transfer funds  
1608 appropriated for hearing of appeals of claim determinations to the Office of Administrative  
1609 Hearings no later than October 2 of any year even if the agencies fail to execute a Memorandum  
1610 of Understanding by October 1 of that year.

1611 “(f) Money deposited into the Fund but not expended in a fiscal year shall revert to the  
1612 Universal Paid Leave Fund, established pursuant to section 1152.”.

1613 Sec. 2143. Conforming amendments.

1614 The Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law  
1615 21-264; D.C. Official Code § 32-541.01 *et seq.*), is amended as follows:

1616 (a) Subsection 101 (D.C. Official Code § 32-541.01) is amended as follows:

1617 (1) Paragraph (10)(A) is amended by striking the phrase “Universal Paid Leave  
1618 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1619 (2) Paragraph (21) is amended by striking the phrase ““Universal Paid Leave  
1620 Implementation Fund” means the Uniform Paid Leave Implementation Fund” and inserting the  
1621 phrase ““Universal Paid Leave Fund” means the Universal Paid Leave Fund” in its place.

1622 (b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1623 (1) The section heading is amended by striking the phrase “Universal Paid Leave  
1624 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1625 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave  
1626 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1627 (3) Subsection (b) is amended by striking the phrase “Universal Paid Leave  
1628 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

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1629                   (4) Subsection (c) is amended by striking the phrase “Universal Paid Leave  
1630 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1631                   (5) Subsection (d) is amended by striking the phrase “Universal Paid Leave  
1632 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1633                   (6) Subsection (e) is amended by striking the phrase “Universal Paid Leave  
1634 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1635                   (7) Subsection (f) is amended by striking the phrase “Universal Paid Leave  
1636 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1637                   (c) Section 104(g)(6)(A) (D.C. Official Code § 32-541.04(g)(6)(A)) is amended by  
1638 striking the phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal  
1639 Paid Leave” in its place.

1640                   (d) Section 105(a)(2) (D.C. Official Code § 32-541.05(a)(2)) is amended by striking the  
1641 phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal Paid Leave”  
1642 in its place.

1643                   (e) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended to read as  
1644 follows:

1645                   “(j)(1) The Mayor shall conduct a public-education campaign, which shall be paid for out  
1646 of the Universal Paid Leave Administration Fund, pursuant to section 1153(c)(1) of the  
1647 Universal Paid Leave Implementation Fund Act of 2016, passed on 2nd reading on July 28, 2020  
1648 (Enrolled version of Bill 23-760), to inform individuals of the benefits provided for in this act.  
1649 The Workplace Leave Navigators Program, established pursuant to section 2093 of the  
1650 Workplace Leave Navigators Program Establishment Congressional Review Emergency

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1651 Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of  
1652 Bill 23-000), shall be a component of the Mayor’s public-education campaign.”.

1653 (f) Section 109(c) (D.C. Official Code § 32-541.09(c)) is amended as follows:

1654 (1) Paragraph (1) is amended by striking the phrase “Universal Paid Leave  
1655 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1656 (2) Paragraph (2) is amended by striking the phrase “Universal Paid Leave  
1657 Implementation” both times it appears and inserting the phrase “Universal Paid Leave” in its  
1658 place.

1659 **SUBTITLE P. SHARED WORK COMPENSATION PROGRAM**

1660 Sec. 2151. Short title.

1661 This subtitle may be cited as the “Shared Work Compensation Program Clarification  
1662 Congressional Review Emergency Amendment Act of 2020”.

1663 Sec. 2152. The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law  
1664 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

1665 (a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

1666 (1) Paragraph (4) is repealed.

1667 (2) New paragraphs (4A) and (4B) are added to read as follows:

1668 “(4A) “Health and retirement benefits” means employer-provided health benefits,  
1669 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal  
1670 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or  
1671 contributions under a defined contribution plan, as defined in section 414(i) of the Internal

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1672 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which  
1673 are incidents of employment in addition to the cash remuneration earned.

1674 “(4B) “Participating employee” means an employee who voluntarily agrees to  
1675 participate in an employer’s shared work plan.”.

1676 (3) Paragraph (5) is amended to read as follows:

1677 “(5) “Usual weekly hours of work” means the usual hours of work per week for  
1678 full-time or part-time employees in the affected unit when that unit is operating on its regular  
1679 basis, not to exceed 40 hours and not including hours of overtime work.”.

1680 (4) Paragraph (7) is amended to read as follows:

1681 “(7) “Shared work benefits” means the unemployment benefits payable to a  
1682 participating employee in an affected unit under a shared work plan, as distinguished from the  
1683 unemployment benefits otherwise payable under the employment security law.”.

1684 (5) Paragraph (8) is amended to read as follows:

1685 “(8) “Shared work plan” means a written plan to participate in the shared work  
1686 unemployment compensation program approved by the Director, under which the employer  
1687 requests the payment of shared work benefits to participating employees in an affected unit of  
1688 the employer to avert temporary or permanent layoffs, or both.”.

1689 (b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

1690 “Sec. 4. Employer participation in the shared work unemployment compensation  
1691 program.

1692 “(a) Employer participation in the shared work unemployment compensation program  
1693 shall be voluntary.

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1694           “(b) An employer that wishes to participate in the shared work unemployment  
1695 compensation program shall submit a signed application and proposed shared work plan to the  
1696 Director for approval.

1697           “(c) The Director shall develop an application form consistent with the requirements of  
1698 this section. The application and shared work plan shall require the employer to:

1699                   “(1) Identify the affected unit (or units) to be covered by the shared work plan,  
1700 including:

1701                           “(A) The number of full-time or part-time employees in such unit;

1702                           “(B) The percentage of employees in the affected unit covered by the plan;

1703                           “(C) Identification of each individual employee in the affected unit by  
1704 name and social security number;

1705                           “(D) The employer’s unemployment tax account number, and

1706                           “(E) Any other information required by the Director to identify  
1707 participating employees;

1708                   “(2) Provide a description of how employees in the affected unit will be notified  
1709 of the employer’s participation in the shared work unemployment compensation program if such  
1710 application is approved, including how the employer will notify those employees in a collective  
1711 bargaining unit as well as any employees in the affected unit who are not in a collective  
1712 bargaining unit. If the employer will not provide advance notice of the shared work plan to  
1713 employees in the affected unit, the employer shall explain in a statement in the application why it  
1714 is not feasible to provide such notice;

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1715                   “(3) Identify the usual weekly hours of work for employees in the affected unit  
1716 and the specific percentage by which hours will be reduced during all weeks covered by the plan.  
1717 A shared work plan may not reduce participating employees’ usual weekly hours of work by less  
1718 than 10% or more than 60%. If the plan includes any week for which the employer regularly  
1719 provides no work (due to a holiday or other plant closing), then such week shall be identified in  
1720 the application;

1721                   “(4) If the employer provides health and retirement benefits to any participating  
1722 employee whose usual weekly hours of work are reduced under the plan, certify that such  
1723 benefits will continue to be provided to participating employees under the same terms and  
1724 conditions as though the usual weekly hours of work of such participating employee had not  
1725 been reduced or to the same extent as employees not participating in the shared work plan. For  
1726 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be  
1727 credited for purposes of participation, vesting, and accrual of benefits as though the participating  
1728 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer  
1729 contributions to a defined contribution plan that are based on a percentage of compensation may  
1730 be reduced due to the reduction in the participating employee’s compensation. A reduction in  
1731 health and retirement benefits scheduled to occur during the duration of a shared work plan that  
1732 is equally applicable to employees who are not participating in the plan and to participating  
1733 employees does not violate a certification made pursuant to this paragraph;

1734                   “(5) Certify that the aggregate reduction in work hours under the shared work  
1735 plan is in lieu of temporary or permanent layoffs, or both, and provide a good-faith estimate of

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1736 the number of employees who would be laid off in the absence of the proposed shared work  
1737 plan;

1738 “(6) Agree to:

1739 “(A) Furnish reports to the Director relating to the proper conduct of the  
1740 shared work plan;

1741 “(B) Allow the Director or the Director’s authorized representatives access  
1742 to all records necessary to approve or disapprove the application for a shared work plan;

1743 “(C) Allow the Director to monitor and evaluate the shared work plan; and

1744 “(D) Follow any other directives the Director considers necessary for the  
1745 agency to implement the shared work plan consistent with the requirements for shared work plan  
1746 applications;

1747 “(7) Certify that participation in the shared work unemployment compensation  
1748 program and implementation of the shared work plan will be consistent with the employer’s  
1749 obligations under applicable federal and District laws;

1750 “(8) State the duration of the proposed shared work plan, which shall not exceed  
1751 365 days from the effective date established pursuant to section 6;

1752 “(9) Provide any additional information or certifications that the Director  
1753 determines to be appropriate for purposes of the shared work unemployment compensation  
1754 program, consistent with requirements issued by the United States Secretary of Labor; and

1755 “(10) Provide written approval of the proposed shared work plan by the collective  
1756 bargaining representative for any employees covered by a collective bargaining agreement who  
1757 will participate in the plan.”.

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1758 (c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

1759 “Sec. 5. Approval and disapproval of a shared work plan.

1760 “(a)(1) The Director shall approve or disapprove an application for a shared work plan in  
1761 writing within 15 calendar days of its receipt and promptly issue a notice of approval or  
1762 disapproval to the employer.

1763 “(2) A decision disapproving the shared work plan shall clearly identify the  
1764 reasons for the disapproval.

1765 “(3) A decision to disapprove a shared work plan shall be final, but the employer  
1766 may submit another application for a shared work plan not earlier than 10 calendar days from the  
1767 date of the disapproval.

1768 “(b) Except as provided in subsections (c) and (d) of this section, the Director shall  
1769 approve a shared work plan if the employer:

1770 “(1) Complies with the requirements of section 4; and

1771 “(2) Has filed all reports required to be filed under the employment security law  
1772 for all past and current periods, and:

1773 “(A) Has paid all contributions and benefit cost payments; or

1774 “(B) If the employer is a reimbursing employer, has made all payments in  
1775 lieu of contributions due for all past and current periods.

1776 “(c) Except as provided in subsection (d) of this section, the Director may not approve a  
1777 shared work plan:

1778 “(1) To provide payments to an employee if the employee is employed by the  
1779 participating employer on a seasonal, temporary, or intermittent basis;



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1780                   “(2) If the employer's unemployment insurance account has a negative  
1781 unemployment experience rating;

1782                   “(3) If the employer's unemployment insurance account is taxed at the maximum  
1783 tax rate in effect for the calendar year;

1784                   “(4) For employers who have not qualified to have a tax rate assigned based on  
1785 actual experience; or

1786                   “(5) For employees who are receiving or who will receive supplemental  
1787 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue  
1788 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any  
1789 period a shared work plan is in effect.

1790                   “(d) During the effective period of a shared work plan entered into during a public health  
1791 emergency, subsection (c) of this section shall not apply. During a public health emergency, the  
1792 Director may not approve a shared work plan:

1793                   “(1) To provide payments to an employee if the employee is employed by the  
1794 participating employer on a seasonal, temporary, or intermittent basis;

1795                   “(2) For employees who are receiving or who will receive supplemental  
1796 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue  
1797 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any  
1798 period a shared work plan is in effect; or

1799                   “(3) For employers that have reported quarterly earnings to the Director for fewer  
1800 than 3 quarters at the time of the application for the shared work unemployment compensation  
1801 program.

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1802           “(e) For the purposes of this section, the term “public health emergency” means the  
1803 public health emergency declared in the Declaration of Public Health Emergency (Mayor’s  
1804 Order 2020-046), declared on March 11, 2020, and any extensions thereof.”.

1805           (d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

1806           “Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

1807           “(a) A shared work plan shall be effective on the date that is mutually agreed upon by the  
1808 employer and the Director, which shall be specified in the notice of approval to the employer.

1809           “(b) The duration of the plan shall be 365 days from the effective date, unless a shorter  
1810 duration is requested by employer or the plan is terminated or revoked in accordance with this  
1811 section.

1812           “(c) An employer may terminate a shared work plan at any time upon written notice to  
1813 the Director, participating employees, and a collective bargaining representative for the  
1814 participating employees. After receipt of such notice from the employer, the Director shall issue  
1815 to the employer, the appropriate collective bargaining representative, and participating  
1816 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared  
1817 work plan terminated.

1818           “(d) The Director may revoke a shared work plan at any time for good cause, including:

1819                   “(1) Failure to comply with the certifications and terms of the shared work plan;

1820                   “(2) Failure to comply with federal or District law;

1821                   “(3) Failure to report or request proposed modifications to the shared work plan in  
1822 accordance with section 7;

1823                   “(4) Unreasonable revision of productivity standards for the affected unit;

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1824 “(5) Conduct or occurrences tending to defeat the purpose and effective operation  
1825 of the shared work plan;

1826 “(6) Change in conditions on which approval of the plan was based;

1827 “(7) Violation of any criteria on which approval of the plan was based; or

1828 “(8) Upon the request of an employee in the affected unit.

1829 “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written  
1830 revocation order to the employer that specifies the reasons for the revocation and the date the  
1831 revocation is effective. The Director shall provide a copy of the revocation order to all  
1832 participating employees and their collective bargaining representative.

1833 “(f) The Director may periodically review the operation of an employer’s shared work  
1834 plan to ensure compliance with its terms and applicable federal and District laws.

1835 “(g) An employer may submit a new application for a shared work plan at any time after  
1836 the expiration or termination of a shared work plan.”.

1837 (e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

1838 “Sec. 7. Modification of a shared work plan.

1839 “(a) An employer may not implement a substantial modification to a shared work plan  
1840 without first obtaining the written approval of the Director.

1841 “(b)(1) An employer must report, in writing, every proposed modification of the shared  
1842 work plan to the Director a least 5 calendar days before implementing the proposed modification.

1843 The Director shall review the proposed modification to determine whether the modification is  
1844 substantial. If the Director determines that the proposed modification is substantial, the Director  
1845 shall notify the employer of the need to request a substantial modification.

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1846                   “(2) An employer may request a substantial modification to a shared work plan by  
1847 filing a written request with the Director. The request shall identify the specific provisions of the  
1848 shared work plan to be modified and provide an explanation of why the proposed modification is  
1849 consistent with and supports the purposes of the shared work plan. A modification may not  
1850 extend the expiration date of the shared work plan.

1851                   “(c)(1) At the Director’s discretion, an employer’s request for a substantial modification  
1852 of a shared work plan may be approved if:

1853                                   “(A) Conditions have changed since the plan was approved; and

1854                                   “(B) The Director determines that the proposed modification is consistent  
1855 with and supports the purposes of the approved plan.

1856                   “(2) The Director shall approve or disapprove a request for substantial  
1857 modification, in writing, within 15 calendar days of receiving the request and promptly shall  
1858 communicate the decision to the employer. If the request is approved, the notice of approval  
1859 shall contain the effective date of the modification.”

1860                   (f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

1861                   “Sec. 8. Employee eligibility for shared work benefits.

1862                   “(a) A participating employee is eligible to receive shared work benefits with respect to  
1863 any week only if the individual is monetarily eligible for unemployment compensation, not  
1864 otherwise disqualified from unemployment compensation, and:

1865                                   “(1) With respect to the week for which shared work benefits are claimed, the  
1866 participating employee was covered by a shared work plan that was approved prior to that week;

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1867                   “(2) Notwithstanding any other provision of the employment security law relating  
1868 to availability for work and actively seeking work, the participating employee was available for  
1869 the individual’s usual hours of work with the shared work employer, which may include  
1870 availability to participate in training to enhance job skills approved by the Director, such as  
1871 employer-sponsored training or training funded under the Workforce Innovation and Opportunity  
1872 Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

1873                   “(3) Notwithstanding any other provision of law, a participating employee is  
1874 deemed unemployed for the purposes of determining eligibility to receive unemployment  
1875 compensation benefits in any week during the duration of such plan if the individual’s  
1876 remuneration as an employee in an affected unit is reduced under the terms of the plan.

1877                   “(b) A participating employee may be eligible for shared work benefits or unemployment  
1878 compensation, as appropriate, except that no participating employee may be eligible for  
1879 combined benefits in any benefit year in an amount more than the maximum entitlement  
1880 established for regular unemployment compensation; nor shall a participating employee be paid  
1881 shared work benefits for more than 52 weeks under a shared work plan or in an amount more  
1882 than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

1883                   “(c) The shared work benefit paid to a participating employee shall be deducted from the  
1884 maximum entitlement amount of regular unemployment compensation established for that  
1885 individual's benefit year.

1886                   “(d) Provisions applicable to unemployment compensation claimants under the  
1887 employment security law shall apply to participating employees to the extent that they are not  
1888 inconsistent with this act. A participating employee who files an initial claim for shared work

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1889 benefits shall receive a monetary determination of whether the individual is eligible to receive  
1890 benefits.

1891 “(e) A participating employee who has received all of the shared work benefits or  
1892 combined unemployment compensation and shared work benefits available in a benefit year shall  
1893 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia  
1894 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code  
1895 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to  
1896 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that  
1897 section, shall be eligible to receive extended benefits.

1898 “(f) Shared work benefits shall be charged to employers’ experience rating accounts in  
1899 the same manner as unemployment compensation is charged under the employment security law,  
1900 unless waived by federal or District law. Employers liable for payments in lieu of contributions  
1901 shall have shared work benefits attributed to service in their employ in the same manner as  
1902 unemployment compensation is attributed, unless waived by federal or District law.”.

1903 (g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

1904 (1) Subsection (a) is amended to read as follows:

1905 “(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a  
1906 participating employee shall be the product of the regular weekly unemployment compensation  
1907 amount for a week of total unemployment multiplied by the percentage of reduction in the  
1908 participating employee’s usual weekly hours of work.

1909 “(2) The shared work benefit for a participating employee who performs work for  
1910 another employer during weeks covered by a shared work plan shall be calculated as follows:

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1911                           “(A) If the combined hours of work in a week for both employers results  
1912 in a reduction of less than 10% of the usual weekly hours of work the participating employee  
1913 works for the shared work employer, the participating employee is not eligible for shared work  
1914 benefits;

1915                           “(B) If the combined hours of work for both employers results in a  
1916 reduction equal to or greater than 10% of the usual weekly hours worked for the shared work  
1917 employer, the shared work benefit payable to the participating employee is determined by  
1918 multiplying the weekly unemployment benefit amount for a week of total unemployment by the  
1919 percentage by which the combined hours of work have been reduced. A week for which benefits  
1920 are paid under this subparagraph shall be reported as a week of shared work benefits.

1921                           “(C) If an individual worked the reduced percentage of the usual weekly  
1922 hours of work for the shared work employer and is available for all the participating employee’s  
1923 usual hours of work with the shared work employer, and the participating employee did not work  
1924 any hours for the other employer, either because of the lack of work with that employer or  
1925 because the participating employee is excused from work with the other employer, the  
1926 participating employee shall be eligible for the full value of the shared work benefit for that  
1927 week.”.

1928                           (2) Subsection (b) is repealed

1929                           (3) New subsections (c) and (d) are added to read as follows:

1930                           “(c) A participating employee who is not provided any work during a week by the shared  
1931 work employer or any other employer and who is otherwise eligible for unemployment

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1932 compensation shall be eligible for the amount of regular unemployment compensation to which  
1933 the individual would otherwise be eligible.

1934 “(d) A participating employee who is not provided any work by the shared work  
1935 employer during a week, but who works for another employer and is otherwise eligible for  
1936 unemployment compensation may be paid unemployment compensation for that week subject to  
1937 the disqualifying income provision and other provisions applicable to claims for regular  
1938 unemployment compensation.”.

1939 **SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS**

1940 Sec. 2161. Short title.

1941 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses  
1942 Congressional Review Emergency Act of 2020”.

1943 Sec. 2162. Definitions.

1944 For the purposes of this subtitle, the term:

1945 (1) “Economically disadvantaged individual” shall have the same meaning as set  
1946 forth in section 2302(7) of the Small and Certified Business Enterprise Development and  
1947 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-  
1948 218.02(7)).

1949 (2)(A) “Eligible business” means an equity impact enterprise that has \$2 million  
1950 or less in annual revenue and certifies in writing that the business is unable to obtain  
1951 conventional financing or is a business enterprise that cannot reasonably be expected to qualify  
1952 for financing under the standards of commercial lending.



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1953 (B) For the purposes of this paragraph, the phrase “unable to obtain  
1954 conventional financing” means that the business has attempted but failed in the attempt to obtain  
1955 financing from conventional sources.

1956 (3) “Equity impact enterprise” shall have the same meaning as set forth in section  
1957 2303(8A) of the Small and Certified Business Enterprise Development and Assistance Act of  
1958 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(8A)).

1959 (4) “Fund” means the Equity Impact Fund established in section 2163.

1960 (5) “Fund Manager” means a private financial organization selected by the Mayor  
1961 pursuant to section 2164.

1962 (6) “Private financial organization” means a partnership, corporation, trust,  
1963 limited liability company, Community Development Financial Institution, or a consortium of  
1964 partnerships, corporations, trusts, limited liability companies, or Community Development  
1965 Financial Institutions, whether organized on a profit or not-for-profit basis, that has as its primary  
1966 activity the investment of capital into businesses.

1967 Sec. 2163. Establishment of the Equity Impact Fund.

1968 (a)(1) There is established a fund outside the General Fund of the District of Columbia,  
1969 designated as the Equity Impact Fund (“Fund”), which shall be managed by a Fund Manager  
1970 selected by the Mayor.

1971 (2) The Deputy Mayor for Planning and Economic Development shall provide,  
1972 upon selection of the Fund Manager, \$1.25 million in the aggregate in Fiscal Year 2021 for  
1973 deposit into the Fund (“District’s initial investment”).

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1974 (b) The Fund shall be funded by money appropriated for the purposes of the Fund, other  
1975 amounts, if any, received by the District or Fund Manager for deposit into the Fund, and any  
1976 monies received as gifts, grants, donations, and awards.

1977 (c) Money in the Fund shall be used for the following purposes:

1978 (1) To facilitate investment in businesses that lack access to capital;

1979 (2) To make investments into eligible businesses based on an investment strategy  
1980 determined by the Fund Manager; and

1981 (3) To administer the Fund, including the provision of technical assistance to  
1982 eligible businesses; provided, that no more than 15% of the District's initial investment may be  
1983 used annually for this purpose.

1984 Sec. 2164. Fund Manager selection.

1985 (a) The Mayor shall solicit applications, in a form determined by the Mayor, for the  
1986 position of Fund Manager from private financial organizations. The application shall contain  
1987 description of:

1988 (1) The qualifications of the applicant, including demonstrable experience in  
1989 investing in small businesses, businesses owned by economically disadvantaged individuals,  
1990 businesses owned by individuals who have been subjected to racial or ethnic prejudice or cultural  
1991 bias because of their identity as a member of a group without regard to their individual qualities,  
1992 or businesses that otherwise meet the definition of, or are similar to, an equity impact enterprise;

1993 (2) How the applicant will structure the Fund and investment criteria to achieve  
1994 the goals and objectives of the Fund;

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1995 (3) The ability and plans of the applicant to provide or raise sufficient funds to  
1996 provide matching contributions for the Fund;

1997 (4) The ability of the applicant to maintain a sufficient fund balance to administer  
1998 the Fund;

1999 (5) The type of businesses to be targeted for priority investment from the Fund;

2000 (6) A demonstrable ability to offer a variety of financing vehicles, including  
2001 equity financing, revenue-based financing, royalty financing, and debt financing;

2002 (7) The investment strategies the applicant will employ to achieve the goals and  
2003 objectives of the Fund; and

2004 (8) Other criteria that the Mayor considers necessary or appropriate.

2005 (b) The Fund Manager shall be selected from among the applicants for the position based  
2006 on a scoring rubric established by the Mayor; provided, that:

2007 (1) A preference be given to applicants that are at least 51% owned, operated, or  
2008 controlled by economically disadvantaged individuals or individuals who have been subjected to  
2009 racial or ethnic prejudice or cultural bias because of their identity as a member of a group  
2010 without regard to their individual qualities; and

2011 (2) If the applicant manages an existing investment fund, the existing fund not  
2012 exceed \$100,000,000 in total investments.

2013 Sec. 2165. Minimum requirements for investment.

2014 (a) The Fund Manager shall source, underwrite, and monitor all investments placed  
2015 pursuant to this subtitle. Except as otherwise provided by this subtitle, the Mayor shall not

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2016 determine the recipient, amount, interest rate, or any other requirement related to an investment  
2017 made pursuant to this subtitle.

2018 (b) The following requirements shall apply to any investment in an eligible business  
2019 made from the Fund using the District's initial investment or interest earned on the initial  
2020 investment:

2021 (1) The Fund Manager shall begin accepting applications from eligible businesses  
2022 seeking investment, on a rolling basis, within 30 days of being selected for the position by the  
2023 Mayor.

2024 (2) For the Fund Manager to provide an investment from the Fund, the eligible  
2025 business must agree, in writing, to participate in technical assistance training.

2026 (3) The Fund Manager shall establish, for each selected eligible business, a 12-  
2027 month individualized business plan. Investments shall be distributed to the eligible business in  
2028 installments based upon completion of specific milestones clearly described in the business's  
2029 individualized business plan. The individualized business plan shall include technical  
2030 assistance, provided at no cost to the business, which shall include education on the  
2031 management and scale of a business through live training or guided recorded sessions. All  
2032 eligible businesses that receive an investment from the Fund shall be required to participate in at  
2033 least 3 months of technical assistance training.

2034 Sec. 2166. Reporting requirements.

2035 The Fund Manager shall submit to the Mayor, on a quarterly basis, a report on the  
2036 activities of the Fund. The report shall include, at a minimum:

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2037 (1) The aggregate amount of dollars invested in eligible businesses during the  
2038 reporting period;

2039 (2) The number of eligible businesses receiving an investment, including the  
2040 name and business address for each;

2041 (3) A copy of the individualized business plan for each eligible business,  
2042 including a description of the technical assistance training provided; and

2043 (4) The aggregate amount of funds in the Fund and a breakdown of the amount of  
2044 the funds in the Fund used for each of the following, with each amount reported as a percentage  
2045 of the aggregate amount of the Fund:

2046 (A) The percentage used for technical training assistance;

2047 (B) The percentage used for administration costs; and

2048 (C) The percentage used to compensate the Fund Manager.

2049 Sec. 2167. Recovery of District investment.

2050 The Mayor shall reserve the right to recover the amount of its initial investment into the  
2051 Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as  
2052 determined by the Mayor, place investments into eligible businesses in an amount equal to the  
2053 amount of the District's initial investment into the Fund.

2054 **SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION**

2055 Sec. 2171. Short Title.

2056 This subtitle may be cited as the "Affordable Housing Loan Fund Authorization  
2057 Congressional Review Emergency Amendment Act of 2020".

2058

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2059           Sec. 2172. The Department of Housing and Community Development is authorized to  
2060 submit an application for the program offered by the U.S. Department of Housing and Urban  
2061 Development, pursuant to section 108 of the Housing and Community Development Act of  
2062 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. § 5308), to provide a gap subsidy  
2063 resource source for Community Development Block Grant-eligible affordable housing  
2064 acquisition and rehabilitation projects in Fiscal Year 2021 that also meet the criteria for the use  
2065 of money in the Housing Preservation Fund, established by section 2032 of the Housing  
2066 Preservation Fund Establishment Act of 2017, effective December 13, 2017 (D.C. Law 22-33;  
2067 D.C. Official Code § 1-325.351), or the Housing Production Trust Fund, established by section 3  
2068 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202;  
2069 D.C. Official Code § 42-2802).

2070           Sec. 2173. Section 2009(d) of the Department of Housing and Community Development  
2071 Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C.  
2072 Official Code § 42-2857.01(d)), is amended as follows:

2073           (a) The existing text is designated as paragraph (1).

2074           (b) A new paragraph (2) is added to read as follows:

2075           “(2) Costs associated with the application or implementation of projects pursuant  
2076 to the Affordable Housing Loan Fund Authorization Congressional Review Emergency  
2077 Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of  
2078 Bill 23-000), shall not be considered project-delivery costs for purposes of paragraph (1) of this  
2079 subsection.”.

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2081           Sec. 2174. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective  
2082 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended as follows:

2083           (a) The existing text is designated as subparagraph (A).

2084           (b) A new subparagraph (B) is added to read as follows:

2085                       “(B) Costs associated with the application or implementation of projects  
2086 pursuant to the Affordable Housing Loan Fund Authorization Congressional Review Emergency  
2087 Amendment Act of 2020, passed on emergency basis on October 6, 2020 (Enrolled version of  
2088 Bill 23-000), shall not be considered administration of the Fund for purposes of this paragraph.”.

2089           **SUBTITLE S. RENT STABILIZATION EXTENSION**

2090           Sec. 2181. Short Title.

2091           This subtitle may be cited as the “Rent Stabilization Extension Congressional Review  
2092 Emergency Amendment Act of 2020”.

2093           Sec. 2182. Section 907 of the Rental Housing Act of 1985, effective July 17, 1985  
2094 (D.C. Law 6-10; D.C. Official Code § 42-3509.07), is amended by striking the phrase “shall  
2095 terminate on December 31, 2020” and inserting the phrase “shall terminate on December 31,  
2096 2030” in its place.

2097           **SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND**  
2098 **STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT**

2099           Sec. 2191. Short title.

2100           This subtitle may be cited as the “Expenditures from the Public Housing and Structural  
2101 Transformation Capital Account Congressional Review Emergency Act of 2020”.

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2103           Sec. 2192. Expenditures from the Public Housing and Structural Transformation capital  
2104 account.

2105           (a)(1) Capital project DHA21C (“DHA21C”) shall be administered by the Office of the  
2106 Chief Financial Officer (“OCFO”), with available project allotments advanced to the District of  
2107 Columbia Housing Authority (“Authority”) on a quarterly basis for the encumbrances and  
2108 expenditures planned for that quarter; provided, that the requirements of subsection (b) of this  
2109 section are met.

2110                   (2) DHA21C funds shall be used by the Authority to fund capital-eligible  
2111 construction, renovation, or rehabilitation subprojects that:

2112                               (A) Increase the longevity of public housing units;

2113                               (B) Prevent existing tenants from being displaced; or

2114                               (C) Increase the availability of public housing units for existing District of  
2115 Columbia residents listed on the Authority's waitlist.

2116                   (3) DHA21C funds shall not be used to fund the Authority’s operating costs,  
2117 renovation, or rehabilitation of any unit set to be demolished, sold, or otherwise removed from  
2118 the Authority inventory, or any administrative or overhead costs not specifically attributable to a  
2119 subproject.

2120                   (b)(1) Each fiscal year that DHA21C funds are available, the Authority shall  
2121 submit to the Mayor, the Council, and the OCFO a proposed spending plan, which shall include:

2122                               (A) Documentation that planned encumbrances and expenditures are  
2123 capital eligible; and

2124                               (B) Information on each subproject for which the Authority proposes to



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2125 use DHA21C funds, including, at a minimum:

- 2126 (i) The proposed location of the subproject;
  - 2127 (ii) A detailed proposed scope of the subproject;
  - 2128 (iii) A detailed proposed line-item budget for the subproject;
  - 2129 (iv) A detailed proposed timeline for the subproject; and
  - 2130 (v) A statement of whether the implementation of the proposed
- 2131 subproject will require the relocation of tenants and, if relocation is required, a detailed proposed
- 2132 relocation plan.

2133 (2) In the event of significant delays or changes in planned encumbrances and

2134 expenditures for any subproject during the fiscal year, the Authority shall update its spending

2135 plan and provide additional documentation as needed to minimize unencumbered and

2136 unexpended transfers, avoid causing the District to incur unnecessary debt service costs, and

2137 ensure that all subproject encumbrances and expenditures are capital eligible.

2138 (c)(1) For each solicitation of a contract valued at \$100,000 or more that is funded with

2139 money from capital project DHA21C, the Authority shall:

2140 (A) Award preferences to certified business enterprises as provided in

2141 section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of

2142 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43); and

2143 (B) Exercise its contracting and procurement authority for contracts

2144 funded by capital project DHA21C so as to meet, on an annual basis, the goals of procuring and

2145 contracting at least 50% of the dollar volume of such contracts (“CBE dollar volume”) with

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2146 certified business enterprises and at least 50% of the CBE dollar volume with small business  
2147 enterprises.

2148 (2) For the purposes of this subsection, the term:

2149 (A) “Certified business enterprise” shall have the meaning set forth in  
2150 section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance  
2151 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

2152 (B) “Small business enterprise” shall have the meaning set forth in section  
2153 2302(16) of the Small and Certified Business Enterprise Development and Assistance Act of  
2154 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16)).

2155 (d) The Inspector General of the District of Columbia shall audit the Authority’s capital  
2156 project DHA21C financial statements for the previous fiscal year not later than February 1, 2021,  
2157 and not later than each February 1 thereafter for as long as DHA21C funds remain unspent by  
2158 the Authority. The Inspector General shall submit to the Mayor, the Chief Financial Officer, and  
2159 the Council a report on the results of each audit.

2160 **SUBTITLE U. DC CENTRAL KITCHEN FACILITY GRANT**

2161 Sec. 2201. Short title.

2162 This subtitle may be cited as the “DC Central Kitchen Facility Grant Congressional  
2163 Review Emergency Act of 2020”.

2164 Sec. 2202. Notwithstanding section 4(c) of the Workforce Investment Implementation  
2165 Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), and  
2166 the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.  
2167 Official Code § 1-328.11 *et seq.*), in Fiscal Year 2021, the Workforce Investment Council shall

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2168 award DC Central Kitchen a grant in the amount of \$1,000,000 to build a new training facility  
2169 that will provide culinary training services and community nutrition programming and to aid in  
2170 the relocation of its headquarters.

2171 **SUBTITLE V. C&O CANAL GRANT**

2172 Sec. 2211. Short title.

2173 This subtitle may be cited as the “C&O Canal Grant Congressional Review  
2174 Emergency Act of 2020”.

2175 Sec. 2212. (a) In Fiscal Year 2021, the Office of Planning shall award a grant of  
2176 not less than \$500,000 to an organization partnering with the National Park Service to  
2177 complete concept design plans for the Chesapeake and Ohio Canal in Georgetown.

2178 (b) A grant awarded pursuant to this section shall be in addition to any other grant  
2179 awarded by the Office of Planning for design work for the Chesapeake and Ohio Canal.

2180 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2181 **SUBTITLE A. CRIMINAL CODE REFORM COMMISSION**

2182 Sec. 3001. Short title.

2183 This subtitle may be cited as the “Criminal Code Reform Commission Congressional  
2184 Review Emergency Amendment Act of 2020”.

2185 Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective  
2186 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

2187 (a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the phrase  
2188 “, or until the Commission is dissolved pursuant to section 3127, and” and inserting the phrase “,  
2189 and” in its place.

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2190 (b) Section 3123 (D.C. Official Code § 3-152) is amended as follows:

2191 (1) The section heading is amended to read as follows:

2192 “Sec. 3123. Duties of the Criminal Code Reform Commission.”.

2193 (2) The lead-in language of subsection (a) is amended by striking the phrase “By  
2194 September 30, 2020” and inserting the phrase “By March 31, 2021” in its place.

2195 (3) Subsection (d) is amended by striking the phrase “provide, upon request by the  
2196 Council, a legal analysis of proposed legislation concerning criminal offenses, including” and  
2197 inserting the phrase “provide, upon request by the Council or on its own initiative, a legal or  
2198 policy analysis of proposed legislation or best practices concerning criminal offenses,  
2199 procedures, or reforms, including” in its place.

2200 (4) Subsection (e) is amended by striking the phrase “regarding criminal code  
2201 reform to advance” and inserting the phrase “to advance” in its place.

2202 (c) The lead-in language of section 3124(a) (D.C. Official Code § 3-153(a)) is amended  
2203 by striking the phrase “section 3123” and inserting the phrase “section 3123(a)” in its place.

2204 (d) Section 3125 (D.C. Official Code § 3-154) is amended as follows:

2205 (1) Subsection (a) is amended by striking the phrase “The Commission” and  
2206 inserting the phrase “Until March 31, 2021, the Commission” in its place.

2207 (2) Subsection (b) is amended by striking the phrase “The Commission shall file  
2208 an annual report with the Council before March 31 of each year” and inserting the phrase  
2209 “Before March 31, 2021, the Commission shall file a report with the Council” in its place.

2210 (3) A new subsection (c) is added to read as follows:

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2211 “(c) Before March 31, 2022, and annually thereafter, the Commission shall file an annual  
2212 report with the Council of its activities during the previous calendar year.”.

2213 (e) Section 3127 (D.C. Official Code § 3-156) is repealed.

2214 **SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE**

2215 Sec. 3011. Short title.

2216 This subtitle may be cited as the “Restorative Justice Collaborative Congressional  
2217 Review Emergency Amendment Act of 2020”.

2218 Sec. 3012. The Neighborhood Engagement Achieves Results Amendment Act of 2016,  
2219 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as  
2220 follows:

2221 (a) Section 101 (D.C. Official Code § 7-2411) is amended as follows:

2222 (1) Subsection (a) is amended as follows:

2223 (A) Paragraph (2) is amended by striking the phrase “; and” and inserting  
2224 a semicolon in its place.

2225 (B) Paragraph (3) is amended by striking the period and inserting the  
2226 phrase “; and” in its place.

2227 (C) A new paragraph (4) is added to read as follows:

2228 “(4) The Restorative Justice Collaborative, which shall serve as a centralized hub  
2229 to coordinate and foster restorative justice programming and practices within the District  
2230 government and by and in partnership with District community-based organizations.”.

2231 (2) Subsection (b) is amended as follows:

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2232 (A) Paragraph (5) is amended by striking the phrase “; and” and inserting  
2233 a semicolon in its place.

2234 (B) Paragraph (6) is amended by striking the period and inserting the  
2235 phrase “; and” in its place.

2236 (C) A new paragraph (7) is added to read as follows:

2237 “(7) Coordinating and fostering restorative justice programming and practices  
2238 within the District government and by and in partnership with District community-based  
2239 organizations, with a focus on the 18-to-35-year old population.”.

2240 (b) Section 102(a)(3) (D.C. Official Code § 7-2412(a)(3)) is amended by striking the  
2241 phrase “programming; and” and inserting the phrase “and restorative justice programming; and”  
2242 in its place.

2243 **SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT**

2244 Sec. 3021. Short title.

2245 This subtitle may be cited as the “Emergency Medical Services Transport Contract  
2246 Authority Congressional Review Emergency Amendment Act of 2020”.

2247 Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract  
2248 Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR  
2249 10775), is amended by striking the date “September 30, 2021” and inserting the date “September  
2250 30, 2023” in its place.

2251 **SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

2252 Sec. 3031. Short title.

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2253           This subtitle may be cited as the “Senior Police Officers Retention Congressional Review  
2254 Emergency Amendment Act of 2020”.

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2256           Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act  
2257 of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is  
2258 amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its  
2259 place.

2260           **SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS**

2261           Sec. 3041. Short title.

2262           This subtitle may be cited as the “Moving the Office on Returning Citizen Affairs  
2263 Congressional Review Emergency Amendment Act of 2020”.

2264           Sec. 3042. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice  
2265 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §  
2266 1-301.191), is amended as follows:

2267           (a) Subsection (c) is amended as follows:

2268                   (1) Paragraph (1) is amended to read as follows:

2269                           “(1) Be responsible for providing guidance and support to, and coordination of,  
2270 public safety, justice, and returning citizen agencies within the District of Columbia government,  
2271 including the Office on Returning Citizen Affairs, established by section 3 of the Office on Ex-  
2272 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of  
2273 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302);”.

2274                   (2) Paragraph (2) is amended to read as follows:

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2275                   “(2) Ensure accountability through general oversight over public safety, justice,  
2276 and returning citizen agencies, as well as the programs under the jurisdiction of the Office;”.

2277                   (3) Paragraph (3) is amended by striking the phrase “public-safety and justice  
2278 services” and inserting the phrase “public safety, justice, and returning citizen services” in its  
2279 place.

2280                   (4) Paragraph (4) is amended by striking the phrase “criminal justice or public-  
2281 safety issues, in the coordination, planning, and implementation of public-safety and justice  
2282 matters” and inserting the phrase “public safety, justice, or returning citizen issues, in the  
2283 coordination, planning, and implementation of public safety, justice, and returning citizen  
2284 matters” in its place.

2285                   (5) Paragraph (5) is repealed.

2286                   (b) A new subsection (e) is added to read as follows:

2287                   “(e) For the purposes of this section, the term “returning citizens” shall have the same  
2288 meaning as provided in section 2(5) of the Office on Ex-Offender Affairs and Commission on  
2289 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.  
2290 Law 16-243; D.C. Official Code § 24-1301(5)).”.

2291                   Sec. 3043. Section 3(a) of the Office on Ex-Offender Affairs and Commission on Re-  
2292 Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law  
2293 16-243; D.C. Official Code § 24-1302(a)), is amended by striking the phrase “established the  
2294 Office on Returning Citizen Affairs” and inserting the phrase “established, as a subordinate  
2295 Executive agency within the Public Safety and Justice cluster, the Office on Returning Citizen  
2296 Affairs” in its place.



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**SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD**

2299

Sec. 3051. Short title.

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This subtitle may be cited as the “Concealed Pistol Licensing Review Board Membership

2301

Congressional Review Emergency Amendment Act of 2020”.

2302

Sec. 3052. Section 908 of the Firearms Control Regulations Act of 1975, effective June 16,

2303

2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), is amended as follows:

2304

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

2305

(1) The lead-in language is amended by striking the phrase “7 members” and

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inserting the phrase “11 members” in its place.

2307

(2) Subparagraph (D) is amended by striking the semicolon and inserting the

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phrase “; and” in its place.

2309

(3) Subparagraph (E) is amended as follows:

2310

(A) The lead-in language is amended by striking the phrase “Three public”

2311

and inserting the phrase “Seven public” in its place.

2312

(B) Sub-subparagraph (i) is amended by striking the phrase “; and” and

2313

inserting a semicolon in its place.

2314

(C) Sub-subparagraph (ii) is amended by striking the period and inserting

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a semicolon in its place.

2316

(D) New sub-subparagraphs (iii), (iv), and (v) are added to read as

2317

follows:

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2318 “(iii) Two District residents with professional experience in the  
2319 field of gun violence prevention;

2320 “(iv) One District resident with professional experience in the field  
2321 of victim services or advocacy; and

2322 “(v) One District resident attorney in good standing with the  
2323 District of Columbia Bar with professional experience in criminal law.”.

2324 (b) Subsection (c) is amended by striking the phrase “section. Each hearing panel shall  
2325 contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.” and  
2326 inserting the phrase “section.” in its place.

2327 **SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING**

2328 **AUTHORITY**

2329 Sec. 3061. Short title.

2330 This subtitle may be cited as the “Litigation Support Fund and Grant-Making Authority  
2331 Congressional Review Emergency Amendment Act of 2020”.

2332 Sec. 3062. The Attorney General for the District of Columbia Clarification and Elected  
2333 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §  
2334 1-301.81 *et seq.*), is amended as follows:

2335 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

2336 (1) Subsection (c) is amended as follows:

2337 (A) Paragraph (1)(B) is amended by striking the phrase “Funding staff  
2338 positions, up to a maximum amount of \$4 million” and inserting the phrase “Funding staff

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2339 positions, personnel costs, and employee retirement and separation incentives, up to a maximum  
2340 amount of \$6 million” in its place.

2341 (B) Paragraph (2) is amended to read as follows:

2342 “(2) Beginning in Fiscal Year 2020, up to \$7 million deposited into the Fund each  
2343 fiscal year may be used for the purposes of crime reduction, violence interruption, and other  
2344 public safety initiatives.”.

2345 (C) A new paragraph (3) is added to read as follows:

2346 “(3) In Fiscal Year 2021, the first \$500,000 deposited into the Fund shall be  
2347 transferred to the Office of Victim Services and Justice Grants for victim services grants.”.

2348 (2) Subsection (d)(3) is amended as follows:

2349 (A) Subparagraph (A) is amended by striking the phrase “\$10 million”  
2350 both times it appears and inserting the phrase “\$17 million” in its place.

2351 (B) Subparagraph (B) is amended by striking the phrase “\$11.6 million in  
2352 the Fund until September 30, 2020” and inserting the phrase “\$19.1 million in the Fund until  
2353 September 30, 2021” in its place.

2354 (3) A new subsection (f) is added to read as follows:

2355 “(f) Notwithstanding any other provision of this section, \$12,039,659.91 of the amount to  
2356 be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto*  
2357 *Co.*, Superior Court of the District of Columbia Case No. 2020 CA 002445 B, shall be deposited  
2358 in the Fund and allocated as follows:

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2359 “(1) \$7,339,659.91 shall be paid in attorney’s fees and costs to May Firm/EKM  
2360 Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008;  
2361 and

2362 “(2) \$4,700,000 shall be used for the authorized purposes of the Fund pursuant to  
2363 subsection (c) of this section.”.

2364 (b) Section 108c (D.C. Official Code § 1-301.88f) is amended as follows:

2365 (1) The section heading is amended by striking the phrase “reduction and violence  
2366 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims  
2367 of crime and other vulnerable residents” in its place.

2368 (2) Subsection (a) is amended by striking the phrase “reduction and violence  
2369 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims  
2370 of crime and other categories of vulnerable residents served by the Office of the Attorney  
2371 General, including seniors, children, individuals protected from discrimination under the Human  
2372 Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-  
2373 1401.01 *et seq.*), and individuals previously involved in the criminal justice system” in its place.

2374 **SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE**

2375 Sec. 3071. Short title.

2376 This subtitle may be cited as the “Chief of Police Term of Office Congressional Review  
2377 Emergency Amendment Act of 2020”.

2378 Sec. 3072. Section I of An Act Relating to the Metropolitan police of the District of  
2379 Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01), is  
2380 amended by adding a new subsection (e) to read as follows:

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2381           “(e)(1) Effective May 2, 2017, the term of office for Chief of Police shall be 4 years;  
2382 except, that the Mayor may earlier terminate a Chief of Police with or without cause during that  
2383 Chief of Police’s term of office.

2384           “(2) In the event a Chief of Police leaves office prior to the expiration of a 4-year  
2385 term, the successor Chief nominated by the Mayor and confirmed by the Council shall serve a  
2386 new 4-year term of office, subject to removal during that term by the Mayor in accordance with  
2387 paragraph (1) of this subsection.”.

2388           **SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION**

2389           Sec. 3081. Short title.

2390           This subtitle may be cited as the “Monsanto Settlement Allocation Congressional Review  
2391 Emergency Act of 2020”.

2392           Sec. 3082. Notwithstanding any other provision of law, the \$52 million to be received by  
2393 the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior  
2394 Court of the District of Columbia Case No. 2020 CA 002445 B, shall be recognized as revenue  
2395 and allocated as follows:

2396                       (1) \$7,339,659.91 shall be deposited in the Litigation Support Fund,  
2397 established pursuant to section 106b of the Attorney General for the District of Columbia  
2398 Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law  
2399 21-36; D.C. Official Code § 1-301.86b) (“Litigation Support Fund”), to pay attorney’s fees and  
2400 costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract  
2401 No. DCCB-2019-C-0008;

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2402 (2) \$4,700,000 shall be deposited into the Litigation Support Fund and  
2403 used for the authorized purposes of that fund;

2404 (3) \$30,000,000 shall be deposited into the Clean Land Fund, established  
2405 pursuant to section 308 of the Brownfield Revitalization Amendment Act of 2000, effective June  
2406 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-633.08), to be used for the authorized  
2407 purposes of that fund; and

2408 (4) \$9,960,340.09 shall be deposited as local funds into the General Fund  
2409 and shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial  
2410 Plan.

2411 **SUBTITLE J. ETHICS ENFORCEMENT**

2412 Sec. 3091. Short title.

2413 This subtitle may be cited as the “Ethics Enforcement Congressional Review Emergency  
2414 Amendment Act of 2020”.

2415 Sec. 3092. The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-  
2416 124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

2417 (a) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

2418 (1) Subsection (a) is amended as follows:

2419 (A) Paragraph (2) is amended by striking the phrase “the United States  
2420 Attorney for the District of Columbia for enforcement or prosecution;” and inserting the phrase  
2421 “the prosecutorial authority with jurisdiction for enforcement or prosecution; or” in its place.

2422 (B) Paragraph (3) is repealed.

2423 (2) Subsection (b) is amended to read as follows:

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2424           “(b) The Board may refer information concerning an alleged violation of the Code of  
2425 Conduct or of this title to the prosecutorial authority with jurisdiction for enforcement or  
2426 prosecution after the presentation of evidence by the Director of Government Ethics to the Board  
2427 as provided in section 212(b), 213(e), or 214(a).”.

2428           (b) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

2429                   (1) Subsection (b) is amended as follows:

2430                           (A) Paragraph (1) is amended by striking the phrase “not more than  
2431 \$25,000” and inserting the phrase “not more than \$5,000” in its place.

2432                           (B) A new paragraph (1A) is added to read as follows:

2433                                   “(1A) The fine set forth in paragraph (1) of this subsection shall not be limited by  
2434 section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11,  
2435 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).”.

2436                           (C) Paragraph (2) is amended to read as follows:

2437                                   “(2) Prosecutions of violations of this subsection shall be brought by the Attorney  
2438 General for the District of Columbia.”.

2439                           (D) A new paragraph (3) is added to read as follows:

2440                                   “(3) For the purposes of this subsection and section 222(a), violations of the  
2441 following provisions of the Code of Conduct substantially threaten the public trust:

2442                                           “(A) Section 223; and

2443                                           “(B) Section 416 of the Procurement Practices Reform Act of 2010,  
2444 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.16).”.

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2445 (2) Subsection (d) is amended by striking the phrase “the Board, the Attorney  
2446 General of the District of Columbia, or of the United States Attorney for the District of  
2447 Columbia” and inserting the phrase “the Board or the Attorney General of the District of  
2448 Columbia” in its place.

2449 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2450 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE**

2451 Sec. 4001. Short title.

2452 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
2453 Increase Congressional Review Emergency Amendment Act of 2020”.

2454 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
2455 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
2456 38-2901 *et seq.*), is amended as follows:

2457 (a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase  
2458 “\$10,980 per student for Fiscal Year 2020” and inserting the phrase “\$11,310 per student for  
2459 Fiscal Year 2021” in its place.

2460 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
2461 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2021
“Pre-Kindergarten 3	1.34	\$15,155
“Pre-Kindergarten 4	1.30	\$14,703
“Kindergarten	1.30	\$14,703



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“Grades 1-5	1.00	\$11,310
“Grades 6-8	1.08	\$12,215
“Grades 9-12	1.22	\$13,798
“Alternative program	1.445	\$16,343
“Special education school	1.17	\$13,233
“Adult	0.89	\$10,066

2462

2463

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

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

2465

foundation level as follows:

2466

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	\$10,971
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$22,281
“Level 4: Special Education	More than 24 hours per school week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$39,472

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“Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for special education compliance.	0.099	\$1,120
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,007
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$18,888

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2468

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“ELL	Additional funding for English Language Learners	0.49	\$5,542
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.2256	\$2,552

2469

2470

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“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	0.37	\$4,185

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“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	1.34	\$15,155
“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	2.89	\$32,686
“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	2.89	\$32,686
“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	0.668	\$7,555

2471

2472

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

2473

in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$713

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“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,567
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553

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2475 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal  
2476 Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

2477 **SUBTITLE B. EDUCATION FACILITY COLOCATION**

2478 Sec. 4011. Short title.

2479 This subtitle may be cited as the “Education Facility Colocation Congressional Review  
2480 Emergency Amendment Act of 2020”.

2481 Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities  
2482 Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 38-  
2483 1831.01), is amended as follows:

2484 (a) Subsection (a) is amended to read as follows:

2485 “(a) The District of Columbia Public Schools system may allow existing public charter  
2486 schools that are chartered pursuant to the District of Columbia School Reform Act of 1995,  
2487 approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code 38-1800.01 *et seq.*), to utilize

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2488 space in DCPS facilities, for a period not greater than 15 years, where such facilities are  
2489 currently or are projected to be underutilized.”.

2490 (b) Subsection (b) is amended as follows:

2491 (1) Paragraphs (1) and (2) are amended to read as follows:

2492 “(1) As payment for the space allocation, the public charter school shall pay to  
2493 DCPS an amount agreeable to the charter school and DCPS.

2494 “(2) The amount of payment shall be agreed upon before relocation of any public  
2495 charter school into a DCPS facility.”.

2496 (2) Paragraph (3) is repealed.

2497 (c) Subsection (c) is amended by striking the phrase “Board of Education shall” and  
2498 inserting the phrase “Mayor may” in its place.

2499 (d) A new subsection (d) is added to read as follows:

2500 “(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund  
2501 (“Fund”), which shall be administered by DCPS in accordance with paragraph (3) of this  
2502 subsection.

2503 “(2) All payments received from public charter schools under this section shall be  
2504 deposited in the Fund.

2505 “(3) Money in the Fund shall be used for the following purposes:

2506 “(A) To fund additional school programming, supplemental staff, special  
2507 initiatives, and other activities and programs at DCPS schools in which charter schools are  
2508 colocated; and

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2509                   “(B) For maintenance of, or improvements to, DCPS schools in which  
2510 charter schools are colocated.

2511                   “(4)(A) The money deposited into the Fund but not expended in a fiscal year shall  
2512 not revert to the unassigned fund balance of the General Fund of the District of Columbia at the  
2513 end of a fiscal year, or at any other time.

2514                   “(B) Subject to authorization in an approved budget and financial plan,  
2515 any funds appropriated in the Fund shall be continually available without regard to fiscal year  
2516 limitation.”.

2517                   (e) A new subsection (e) is added to read as follows:

2518                   “(e) Any funds received by a DCPS school pursuant to this section shall be supplemental  
2519 to any funds budgeted for the school from the Uniform Per Student Funding Formula or other  
2520 fund source. A school’s school-based budget shall not be reduced based on funds received  
2521 pursuant to this section.”.

2522                   **SUBTITLE C. CHILD CARE GRANTS**

2523                   Sec. 4021. Short title.

2524                   This subtitle may be cited as the “Grantmaking Authority to Expand Access to Quality  
2525 Child Care Congressional Review Emergency Amendment Act of 2020”.

2526                   Sec. 4022. Child care grantmaking authority.

2527                   Section 3(b) of the State Education Office Establishment Act of 2000, effective October  
2528 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

2529                   (a) Paragraph (30) is amended by striking the phrase “; and” and inserting a semicolon in  
2530 its place.

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2531 (b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and”  
2532 in its place.

2533 (c) A new paragraph (32) is added to read as follows:

2534 “(32) Have the authority to issue grants, from funds under its administration, to  
2535 non-profit and community-based organizations to increase access to, the affordability of, and the  
2536 quality of child care in the District.”.

2537 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2538 **FUNDRAISING MATCH**

2539 Sec. 4031. Short title.

2540 This subtitle may be cited as the “University of the District of Columbia Fundraising  
2541 Match Congressional Review Emergency Act of 2020”.

2542 Sec. 4032. (a) In Fiscal Year 2021, of the funds allocated to the Non-Departmental  
2543 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the  
2544 District of Columbia (“UDC”) to match dollar-for-dollar the amount UDC raises from private  
2545 donations by April 1, 2021.

2546 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less  
2547 than one-third of the funds shall be deposited into UDC’s endowment fund.

2548 **SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL**

2549 **STABLIZATION**

2550 Sec. 4041. Short title.

2551 This subtitle may be cited as the “Adult and Residential Public Charter School Funding  
2552 Stabilization Congressional Review Emergency Amendment Act of 2020”.

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2553           Sec. 4042. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
2554 and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C.  
2555 Official Code § 38-2906.02), is amended by adding a new subsection (c-1) to read as follows:

2556           “(c-1)(1) Notwithstanding subsections (b), (c), (d), and (g) of this section, for School  
2557 Year 2020-2021, the annual payment pursuant to the Funding Formula for each adult education  
2558 program and each residential public charter school shall equal the total estimated costs for the  
2559 number of District resident students projected to be enrolled in the adult education program or  
2560 the residential public charter school, during School Year 2020-2021, including the costs of all  
2561 add-on components provided in sections 106 and 106a, based on the program or school’s  
2562 enrollment projections contained in the Mayor’s Fiscal Year 2021 proposed budget, as modified  
2563 pursuant to section 107(e).

2564           “(2)(A) The first quarterly payment shall be 35% of a school’s annual payment.

2565           “(B) A school’s October 25, January 15, and April 15 payments  
2566 shall each equal 1/3 of the school’s total remaining annual payment after the first quarterly  
2567 payment is made.

2568           “(3) For the purposes of this subsection, the term:

2569           “(A) “Adult education program” means a public charter school or a  
2570 program in a public charter school that, during School Year 2019-2020, was identified as an  
2571 adult education performance management framework school by the District of Columbia Public  
2572 Charter School Board.



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2573 “(B) “Residential public charter school” means a public charter school  
2574 that, during School Year 2019-2020, provided a majority of its students with room and board in a  
2575 residential setting, in addition to their instructional program.”.

2576 **SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY**

2577 Sec. 4051. Short title.

2578 This subtitle may be cited as the “School Financial Transparency Congressional Review  
2579 Emergency Amendment Act of 2020”.

2580 Sec. 4052. Section 202 of the Department of Education Establishment Act of 2007,  
2581 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), is amended as follows:

2582 (a) Subsection (b) is amended as follows:

2583 (1) Paragraph (8) is amended by striking the phrase “; and” and inserting a  
2584 semicolon in its place.

2585 (2) Paragraph (9) is amended by striking the period and inserting the phrase “;  
2586 and” in its place.

2587 (3) A new paragraph (10) is added to read as follows:

2588 “(10)(A) By May 31, 2021, establish common financial reporting standards for  
2589 the non-capital budgets and expenditures of District of Columbia Public Schools and public  
2590 charter schools. The common financial reporting standards shall:

2591 “(i) Include categories for reporting budgets and expenditures for  
2592 instructional staff, school administrators, instructional supports, educational materials, and non-  
2593 educational administrative costs;

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2594 “(ii) Permit meaningful and accurate budget and expenditure  
2595 comparisons, including comparisons of budgets and expenditures for at-risk students, as defined  
2596 in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public  
2597 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
2598 38-2901(2A)), between all public schools and between all local education agencies;

2599 “(iii) Ensure full and accurate disclosure of administrative costs for  
2600 each local education agency; and

2601 “(iv) Make it possible to collect comparable data by school  
2602 campus.

2603 “(B) For the purposes of this paragraph, the term:

2604 “(i) “Local education agency” means the District of Columbia  
2605 Public Schools system or any individual or group of public charter schools operating under a  
2606 single charter.

2607 “(ii) “Public schools” includes public charter schools.”.

2608 (b) A new subsection (f) is added to read as follows:

2609 “(f)(1) To support the establishment of common financial reporting standards required  
2610 pursuant to subsection (b)(10) of this section, the Deputy Mayor for Education may issue grants  
2611 not to exceed \$200,000, in Fiscal Year 2021.

2612 “(2) Grants issued pursuant to this subsection shall be administered pursuant to  
2613 the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013  
2614 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)”.

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2615           Sec. 4053. Section 3(b) of the State Education Office Establishment Act of 2000,  
2616 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by  
2617 adding a new paragraph (3A) to read as follows:

2618                   “(3A) Beginning in May 2024, and annually thereafter, electronically publish for  
2619 each public school and public charter school the previous school year’s expenditures, based on  
2620 the common financial reporting standards established by the Department of Education pursuant  
2621 to section 202(b)(10) of the Department of Education Establishment Act of 2007, effective June  
2622 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)), in a manner that permits the  
2623 public to easily compare expenditures between individual schools and between local education  
2624 agencies.”.

2625

2626           Sec. 4054. The Board of Education Continuity and Transition Amendment Act of 2004,  
2627 effective December 7, 2004 (D.C. Law 15-211; D.C. Official Code §§ 38-2831 and 38-2951 *et*  
2628 *seq.*), is amended as follows:

2629           (a) Section 6 (D.C. Official Code § 38-2831) is amended as follows:

2630                   (1) Subsection (b) is amended as follows:

2631                           (A) Paragraph (1) is amended to read as follows:

2632                                   “(1) All funds budgeted for each school, including a summary statement or table  
2633 of the local-funds budget for each school, by revenue source for activities and service levels, and  
2634 by revenue source for comptroller source group by activities and service levels;”

2635                           (B) Paragraph (2) is amended by striking the phrase “; and” and inserting a  
2636 semicolon in its place.

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2637 (C) Paragraph (3)(B) is amended by striking the period and inserting a  
2638 semicolon in its place.

2639 (D) New paragraphs (4) and (5) are added to read as follows:

2640 “(4) The methodology used to determine each school’s local funding; and

2641 “(5) For each school’s individual budget, a separate budget line item for funding

2642 allocated to at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding

2643 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999

2644 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)), as coded in the District’s current official

2645 financial system of record.”.

2646 (2) A new subsection (g) is added to read as follows:

2647 “(g) By December 1, 2023, and annually thereafter, the Mayor shall transmit a report of

2648 the previous school year’s actual expenditures, for each school, to the Office of the State

2649 Superintendent of Education. The report shall conform to the common financial reporting

2650 standards established by the Department of Education pursuant to section 202(b)(10) of the

2651 Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9;

2652 D.C. Official Code § 38-191(b)(10)).”.

2653 (b) A new section 6a is added to read as follows:

2654 “Sec. 6a. District of Columbia Public Schools school-level budget model.

2655 “As part of the District of Columbia Public Schools’ (“DCPS”) regular multi-year

2656 strategic planning and goal setting, DCPS shall include, and make publicly available, an analysis

2657 of the model used to determine school-level budgets for DCPS schools. The analysis shall

2658 include the following:

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- 2659 “(1) A summary of DCPS costs, including personnel costs;  
2660 “(2) Research in education and education finance;  
2661 “(3) A discussion of budget alignment with DCPS priorities; and  
2662 “(4) Recommendations for changes, if applicable.”.

2663 Sec. 4055. Section 106a of the Uniform Per Student Funding Formula for Public Schools  
2664 and Public Charter Schools Amendment Act of 1998, effective February 22, 2014 (D.C. Law 20-  
2665 87; D.C. Official Code § 38-2905.01), is amended by adding a new subsection (d) to read as  
2666 follows:

2667 “(d) Beginning December 31, 2023, and annually thereafter, every local education agency  
2668 that is allocated funds pursuant to this section shall provide the Office of the State  
2669 Superintendent of Education with data related to expenditures of such funds consistent with  
2670 reporting standards established by the Department of Education pursuant to section 202(b)(10) of  
2671 the Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-  
2672 9; D.C. Official Code § 38-191(b)(10)).”.

2673 Sec. 4056. The District of Columbia School Reform Act of 1995, approved April 26,  
2674 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

2675 (a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding a new  
2676 paragraph (23) to read as follows:

2677 “(23) *School expenditures and budgets.* —

2678 “(A) Beginning July 29, 2022, and annually thereafter, the Board of  
2679 Trustees of each public charter school shall prepare and submit to the Public Charter School  
2680 Board and OSSE, for each campus under its control, the following data:

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2681 “(i) Actual expenditures for the prior school year;

2682 “(ii) The current school year’s budget; and

2683 “(iii) A draft budget for the following school year.

2684 “(B) The data submitted pursuant to subparagraph (A) of this paragraph

2685 shall conform to the common financial reporting standards established by the Department of

2686 Education pursuant to section 202(b)(10) of the Department of Education Establishment Act of

2687 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191(b)(10)).

2688 “(C) The Public Charter School Board shall electronically publish the data

2689 it receives pursuant to subparagraph (A) of this paragraph in a uniform manner for each school

2690 by November 1 each year.”.

2691 (b) Section 2205 (D.C. Official Code § 38-1802.05) is amended by adding a new

2692 subsection (e) to read as follows:

2693 “(e) *Open meetings*. — All meetings of a Board of Trustees shall be subject to

2694 the requirements of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.

2695 Official Code § 2-571 *et seq.*)”.

2696 Sec. 4057. The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C.

2697 Official Code § 2-571 *et seq.*), is amended as follows:

2698 (a) Section 404(3) (D.C. Official Code § 2-574(3)) is amended as follows:

2699 (1) The lead-in language is amended by striking the phrase “agency, or” and

2700 inserting the phrase “agency, the board of trustees of a public charter school, or” in its place.

2701 (2) Subparagraph (C) is repealed.

2702 (b) Section 405(b) (D.C. Official Code § 2-575(b)) is amended as follows:

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2703 (1) Paragraph (10) is amended by striking the semicolon and inserting the phrase  
2704 “, or of public charter school personnel, where the public body is the board of trustees of a public  
2705 charter school;” in its place.

2706 (2) Paragraph (11) is amended by striking the phrase “obtained from outside the  
2707 government” and inserting the phrase “obtained from outside the government or public body” in  
2708 its place.

2709 (3) Paragraph (13) is amended by striking the phrase “; and” and inserting a  
2710 semicolon in its place.

2711 (4) Paragraph (14) is amended by striking the period and inserting a semicolon in  
2712 its place.

2713 (5) New paragraphs (15) and (16) are added to read as follows:

2714 “(15) To discuss matters involving personally identifiable information of students;  
2715 and

2716 “(16)(A) When the public body is the board of trustees for a public charter school,  
2717 to meet with the staff of an eligible chartering authority, for the purpose of being evaluated by  
2718 the eligible chartering authority.

2719 “(B) Subparagraph (A) of this paragraph shall not be construed to permit  
2720 the board of trustees for a public charter school to close a meeting that would otherwise be open  
2721 merely because the staff of an eligible charting authority is participating.”.

2722 (c) Section 406(3) (D.C. Official Code § 2-576(3)) is amended by striking the phrase  
2723 “subsection, notice” and inserting the phrase “subsection, except for meetings of boards of  
2724 trustees for public charter schools, notice” in its place.

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2725 (d) Section 408(b)(1) (D.C. Official Code § 2-578(b)(1)) is amended by striking the  
2726 period and inserting the phrase “, or in the case of a board of trustees for a public charter school,  
2727 no later than 30 business days after the meeting.”.

2728 **SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION**

2729 Sec. 4061. Short title.

2730 This subtitle may be cited as the “Healthy Schools Fund Restoration Congressional  
2731 Review Emergency Amendment Act of 2020”.

2732 Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27, 2010  
2733 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f)), is amended by striking the  
2734 phrase “Beginning on October 1, 2019, an amount of \$5,110,000” and inserting  
2735 the phrase “Beginning on October 1, 2020, an amount of \$5,590,000” in its place.

2736 **SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS**

2737 Sec. 4071. Short title.

2738 This subtitle may be cited as the “Wilkinson School Disposition Process Congressional  
2739 Review Emergency Amendment Act of 2020”.

2740 Sec. 4072. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,  
2741 approved April 26, 1996 (110 Stat. 1321-125; D.C. Official Code § 38-1802.09(b)(1)), is  
2742 amended by adding a new subparagraph (B-ii) to read as follows:

2743 “(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor  
2744 may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson  
2745 Elementary School building to:



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2746 “(I) A charter school facility incubator that leased the former  
2747 Birney Elementary School Building as of October 1, 2020; or

2748 “(II) A public charter school that occupied all, or a portion of, the  
2749 former Birney Elementary School building as of October 1, 2020.”.

2750

2751 Sec. 4073. Section 1 of An Act Authorizing the sale of certain real estate in the District of  
2752 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.  
2753 Official Code § 10-801), is amended as follows:

2754 (a) Subsection (a)(1) is amended by striking the number “20” and inserting the number  
2755 “15” in its place.

2756 (b) A new subsection (b-6) is added to read as follows:

2757 “(b-6)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the  
2758 disposition of the former Wilkinson Elementary School in Ward 8 (“Wilkinson real property”),  
2759 the Mayor shall hold at least one public hearing on the finding that the Wilkinson real property is  
2760 no longer required for public purposes and to obtain community input on the proposed  
2761 disposition of the Wilkinson real property before submitting the proposed surplus resolution and  
2762 proposed disposition resolution to the Council pursuant to this section.

2763 “(2) The hearing required by paragraph (1) of this subsection shall be held at an  
2764 accessible evening or weekend time and in an accessible location in the vicinity of the Wilkinson  
2765 real property. The Mayor shall provide at least 30 days written notice of the hearing to the  
2766 affected Advisory Neighborhood Commission and publish notice of the hearing in the District of  
2767 Columbia Register at least 15 days before the hearing.”.

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2768           **SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE**

2769           Sec. 4081. Short title.

2770           This subtitle may be cited as the “Academic Middle Mentoring Initiative Congressional  
2771 Review Emergency Act of 2020”.

2772           Sec. 4082. In Fiscal Year 2021, the Office of the State Superintendent of Education shall  
2773 award, on a competitive basis, a grant of \$200,000 to support a mentoring program that mentors  
2774 low-income high school students and low-income, first generation college students in the  
2775 academic middle, who are enrolled in or who graduated from a District public or public charter  
2776 school, to provide the students with the skills and experiences needed to successfully complete  
2777 college and excel in the workforce.

2778

2779           **SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING**  
2780 **EXTENSION**

2781           Sec. 4091. Short title.

2782           This subtitle may be cited as the “Truancy Prevention and Literacy Pilot Funding  
2783 Extension Congressional Review Emergency Amendment Act of 2020”.

2784           Sec. 4092. Section 403(g) of the Community Schools Incentive Act of 2012, effective  
2785 June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(g)), is amended by adding a  
2786 new paragraph (4) to read as follows:

2787                   “(4) Any funds awarded pursuant to paragraph (1) of this subsection but not  
2788 expended in Fiscal Year 2020 shall be available to the grant recipients until September 30,  
2789 2021.”.

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2790           **SUBTITLE K. DCPS AUTHORITY FOR SCHOOL SECURITY**

2791           Sec. 4101. This subtitle may be cited as the “DCPS Authority for School Security  
2792 Congressional Review Emergency Amendment Act of 2020”.

2793           Sec. 4102. The School Safety and Security Contracting Procedures Act of 2004, effective  
2794 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

2795           (a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

2796                   (1) A new paragraph (1B) is added to read as follows:

2797                           “(1B) “MOA” means the Memorandum of Agreement into which DCPS and  
2798 MPD enter pursuant to section 104.”.

2799                   (2) Paragraph (4) is repealed.

2800                   (3) Paragraph (5) is amended to read as follows:

2801                           “(5) “School security personnel” means individuals, including unarmed security  
2802 guards, that DCPS hires or contracts to support safety in DCPS schools.”.

2803                   (4) A new paragraph (5A) is added to read as follows:

2804                           “(5A) “Security-related contract” means any contract to provide physical or  
2805 personal security services, including school security personnel, at DCPS schools.”.

2806                   (5) Paragraph (6) is repealed.

2807           (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

2808                   (1) Subsection (a) is amended by striking the phrase “security for the District of  
2809 Columbia Public Schools” and inserting the phrase “school resource officers to the DCPS  
2810 schools and public charter schools” in its place.

2811                   (2) Subsection (c) is amended to read as follows:

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2812 “(c) The School Safety Division shall:

2813 “(1) Hire and train school resource officers;

2814 “(2) Deploy school resource officers to:

2815 “(A) DCPS schools, consistent with the terms of the MOA; and

2816 “(B) Public charter schools;

2817 “(3) Coordinate with DCPS and public charter schools regarding the use and  
2818 sharing of resources and communications between MPD and school-specific safety teams; and

2819 “(4) Provide recommendations to the Mayor, Council, and the DCPS Chancellor  
2820 regarding the impact of school closings, consolidations, grade reconfigurations, use of swing  
2821 space during school reconstruction, and gang and crew violence on the safety and well-being of  
2822 children.”.

2823 (c) Section 103 (D.C. Official Code § 5-132.03) is amended as follows:

2824 (1) The section heading is amended by striking the phrase “security personnel”  
2825 and inserting the phrase “resource officers” in its place.

2826 (2) The lead-in language is amended by striking the phrase “security personnel  
2827 providing security for DCPS” and inserting the phrase “resource officers” in its place.

2828 (3) Paragraph (7) is amended by striking the phrase “laws and regulations,  
2829 including Board of Education regulations” and inserting the phrase “laws and regulations” in its  
2830 place.

2831 (4) Paragraph (8) is amended by striking the phrase “security personnel” and  
2832 inserting the phrase “resource officers” in its place.

2833 (d) New sections 103a and 103b are added to read as follows:

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2834 “Sec. 103a. DCPS responsibilities for school security.

2835 “(a) By October 1, 2020, DCPS shall be responsible for school security personnel within  
2836 DCPS schools, and shall:

2837 “(1) Oversee the hiring or contracting of school security personnel for DCPS;

2838 “(2) Deploy school security personnel to DCPS schools;

2839 “(3) Provide oversight over school security personnel and be responsible for  
2840 administering all disciplinary actions related to school security personnel, including termination;

2841 “(4) Execute, approve, administer, monitor, and provide oversight over any  
2842 security-related contract for school security personnel; and

2843 “(5) Create and implement school building security and emergency operations  
2844 plans, in consultation with MPD and the Homeland Security and Emergency Management  
2845 Agency.

2846 “Sec. 103b. Training for school security personnel.

2847 “(a) For the school year beginning in 2020, DCPS may use the training curriculum  
2848 adopted by MPD pursuant to section 103 to train its school security personnel.

2849 “(b) By the start of the school year beginning in 2021, DCPS shall adopt a school security  
2850 personnel training curriculum based on the positive youth development philosophy. The  
2851 curriculum shall focus on training supervisory and on-site personnel to provide security services  
2852 responsive and appropriate to the student, staff, and family populations at each school building.

2853 At a minimum, the curriculum shall include training in the following areas, developed with  
2854 advice from appropriate other District agencies:

2855 “(1) Child and adolescent development;

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- 2856 “(2) Effective communication skills;
- 2857 “(3) Behavior management;
- 2858 “(4) Conflict resolution, including restorative justice practices;
- 2859 “(5) De-escalation techniques;
- 2860 “(6) Behavioral health issues for youth and families;
- 2861 “(7) Child sexual abuse and gender-based violence prevention, identification, and
- 2862 response;
- 2863 “(8) Availability of social services for youth;
- 2864 “(9) District of Columbia laws and regulations;
- 2865 “(10) Constitutional standards for searches and seizures conducted by school
- 2866 security personnel on school grounds; and
- 2867 “(11) Violence prevention, including gang and crew dynamics.”.

2868 (e) Section 104 (D.C. Official Code § 5-132.04) is amended to read as follows:

2869 “Sec. 104. Coordination of school security efforts between DCPS and MPD.

2870 “By October 1, 2020, DCPS and MPD shall enter into a MOA for the purpose of

2871 coordinating the agencies’ respective security obligations at DCPS schools. The MOA shall:

- 2872 “(1) Reflect DCPS’s role as the administrator of any security-related contract;
- 2873 “(2) Include provisions for effectuating the transfer of any personnel, property,
- 2874 funds, or records necessary to transfer responsibility for any existing security-related contract
- 2875 from MPD to DCPS;

2876 “(3) Delineate lines of authority, supervision, and communication between MPD

2877 and DCPS, including how school resource officers deployed at each school will provide security

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2878 in coordination with the school’s principal and school security personnel; provided, that during  
2879 emergencies, incident command shall be consistent with the District of Columbia response plan,  
2880 as defined by section 2(1A) of the District of Columbia Public Emergency Act of 1980, effective  
2881 March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(1A));

2882 “(4) Include a process for resolving disagreements between DCPS and MPD at all  
2883 levels; and

2884 “(5) Provide for MPD advice and consultation on DCPS school building security  
2885 and emergency operations plans.”.

2886 (f) Section 105 (D.C. Official Code § 5-132.05) is amended to read as follows:

2887 “Sec. 105. Authority to issue RFPs for school security-related contracts.

2888 “(a)(1) By October 1, 2020, DCPS shall be responsible for administering and funding any  
2889 security-related contract effective during the 2020-2021 school year.

2890 “(2) MPD shall transfer to DCPS all personnel, property, funds, or records  
2891 necessary for DCPS to administer and fund any security-related contract effective during the  
2892 2020-2021 school year.

2893 “(b) Responsibility for the issuance of a Request for Proposals (“RFP”) for any security-  
2894 related contract for DCPS for a contract term to begin June 30, 2021, or later shall transfer from  
2895 the MPD to DCPS as of August 5, 2020. DCPS shall be responsible for awarding, executing,  
2896 administering, and funding a contract resulting from an RFP issued under this subsection.”.

2897 **TITLE V. HUMAN SUPPORT SERVICES**

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2898           **SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED**  
2899 **PAYMENTS**

2900           Sec. 5001. Short title.

2901           This subtitle may be cited as the “Medicaid Hospital Supplemental and Directed  
2902 Payments Congressional Review Emergency Amendment Act of 2020”.

2903           Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017,  
2904 effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is  
2905 amended as follows:

2906           (a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the  
2907 phrase “September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed” and  
2908 inserting the phrase “September 30, 2018” in its place.

2909           (b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the  
2910 semicolon and inserting the phrase “, either directly or through payments to managed care  
2911 organizations;” in its place.

2912           (c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended  
2913 to read as follows:

2914           “(1) An amount equal to the non-federal share of the total available spending  
2915 room under the outpatient Medicaid upper payment limit for private hospitals applicable to  
2916 District Fiscal Year 2020, consistent with requirements and approvals from the United States  
2917 Department of Health and Human Services, Centers for Medicare and Medicaid Services; plus

2918           “(2) An amount equal to the non-federal share of the total available spending  
2919 room under the outpatient Medicaid upper payment limit for District operated hospitals



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2920 applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing  
2921 Medicaid State Plan amendment or associated templates and other authorities; plus”.

2922 (d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the  
2923 phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
2924 amendment” and inserting the phrase “the District obtains approvals required by the Centers for  
2925 Medicare and Medicaid Services for” in its place.

2926 (e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

2927 “Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

2928 “(a) For visits and services beginning October 1, 2020, the District shall pay managed  
2929 care organizations (“MCOs”) at a rate sufficient to support payments to hospitals located in the  
2930 District for outpatient services at a rate that is not less than 130% of the District Fiscal Year 2020  
2931 fee-for-service base rate and shall direct MCOs to pay such rate to their participating hospitals  
2932 located in the District for such services.

2933 “(b) No payment shall be made under this section until such time that the Centers for  
2934 Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated  
2935 template, and other authorities authorizing the Medicaid payments described in this section.

2936 “(c) The Medicaid payment methodologies authorized under this section shall not be  
2937 altered unless such alteration is necessary to gain approval from the Centers for Medicare and  
2938 Medicaid Services.”.

2939 Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of  
2940 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is  
2941 amended to read as follows:

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2942 “(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this  
2943 section and section 5087, the District, through the Office of Tax and Revenue, may charge each  
2944 hospital a fee based on its inpatient net patient revenue.

2945 “(2) The fee shall be charged at a uniform rate necessary to generate no more than  
2946 \$8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District  
2947 Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

2948 “(3) The fee collected pursuant to this section shall be deposited in the Hospital  
2949 Fund, established by section 5083.”.

2950 **SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION**

2951 Sec. 5011. Short title.

2952 This subtitle may be cited as the “Medical Marijuana Program Administration  
2953 Congressional Review Emergency Amendment Act of 2020”.

2954 Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1999,  
2955 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is  
2956 amended as follows:

2957 (a) Section 2 (D.C. Official Code § 7-1671.01), is amended as follows:

2958 (1) Paragraphs (1), (1A), (1B), and (1C) are redesignated as paragraphs (1B),  
2959 (1C), (1D), and (1E), respectively.

2960 (2) New paragraphs (1) and (1A) are added to read as follows:

2961 “(1) “ABC Board” means the Alcoholic Beverage Control Board.”.

2962 “(1A) “ABRA” means the Alcoholic Beverage Regulation Administration.

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2963 (3) Paragraph (3)(B) is amended by striking the phrase “with the Department” and  
2964 inserting the phrase “with ABRA” in its place.

2965 (4) Paragraph (5) is amended by striking the phrase “with the Mayor” and  
2966 inserting the phrase “with ABRA” in its place.

2967 (5) Paragraph (6) is repealed.

2968 (6) Paragraph (7) is amended by striking the phrase “with the Mayor” and  
2969 inserting the phrase “with ABRA” in its place.

2970 (7) Paragraph (19) is amended by striking the phrase “if the Department” and  
2971 inserting the phrase “if ABRA” in its place.

2972 (8) Paragraph (21) is amended by striking the phrase “by the Department” and  
2973 inserting the phrase “by ABRA” in its place.

2974 (b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:

2975 (1) Subsection (c)(1)(B) is amended by striking the phrase “with the Mayor” and  
2976 inserting the phrase “with ABRA” in its place.

2977 (2) Subsection (d) is amended by striking the phrase “with the Mayor” and  
2978 inserting the phrase “with ABRA” in its place.

2979 (c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the  
2980 phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.

2981 (d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

2982 (1) The lead-in language is amended by striking the phrase “The Program shall be  
2983 administered by the Mayor and shall” and inserting the phrase “The Program shall” in its place.

2984 (2) Paragraph (1)(A) is amended by striking the phrase “with the Department” and

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2985 inserting the phrase “with ABRA” in its place.

2986 (3) Paragraph (4)(A) is amended as follows:

2987 (A) Subparagraph (iv) is amended by striking the phrase “by the  
2988 Department” and inserting the phrase “by the ABC Board” in its place.

2989 (B) Subparagraph (v) is amended by striking the phrase “by the Mayor”  
2990 and inserting the phrase “by ABRA” in its place.

2991 (4) Paragraph (5A) is amended as follows:

2992 (A) The lead-in language is amended by striking the phrase “by the  
2993 Department” and inserting the phrase “by the ABC Board” in its place.

2994 (B) Subparagraph (C) is amended by striking the phrase “by the  
2995 Department” and inserting the phrase “by the ABC Board” in its place.

2996 (5) Paragraph (5B)(D) is amended by striking the phrase “that the Department”  
2997 and inserting the phrase “that ABRA” in its place.

2998 (6) Paragraph (7) is amended by striking the phrase “if the Mayor determines”  
2999 and inserting the phrase “if the ABC Board determines” in its place.

3000 (7) Paragraph (10)(A) is amended by striking the phrase “apply to the Mayor” and  
3001 inserting the phrase “apply to the ABC Board” in its place.

3002 (8) Paragraph (14) is amended by striking the phrase “notify the Department” and  
3003 inserting the phrase “notify ABRA” in its place.

3004 (e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

3005 (1) Subsection (d) is amended as follows:

3006 (A) Paragraph (1) is amended by striking the phrase “with the Mayor” and

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3007 inserting the phrase “with ABRA” in its place.

3008 (B) Paragraph (3)(A) is amended by striking the phrase “determined by  
3009 rulemaking” and inserting the phrase “determined by the Mayor by rules issued in accordance  
3010 with section 14” in its place.

3011 (C) Paragraph (4) is amended by striking the phrase “The Mayor” and  
3012 inserting the phrase “The ABC Board” in its place.

3013 (D) Paragraph (5) is amended to read as follows:

3014 “(5)(A) An application for registration of a dispensary, cultivation center, or  
3015 testing laboratory submitted by a medical cannabis certified business enterprise, or applicant  
3016 eligible to be a medical cannabis certified business enterprise, shall be awarded a preference  
3017 point equal to 50 points or 20% of the available points, whichever is more.

3018 “(B) A medical cannabis certified business enterprise shall:

3019 “(i) Have one or more owners who are economically  
3020 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or  
3021 cultural bias because of their identity as a member of a group without regard to their individual  
3022 qualities and who are District residents and individually or collectively own at least 60% of the  
3023 licensed business enterprise;

3024 “(ii) Have one or more owners whose income does not exceed  
3025 \$349,999, who are residents of the District, and whose net worth, excluding the value of their  
3026 residence, does not exceed \$1 million, and individually or collectively own at least 60% of the  
3027 licensed business enterprise;

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3028                                   “(iii) Have a chief executive officer and its highest-level  
3029 managerial employees perform their managerial functions in a principal office located in the  
3030 District;

3031                                   “(iv) Have at least 50% of its employees be residents of the  
3032 District;

3033                                   “(v) Have at least 50% of its contractors be residents of the  
3034 District; and

3035                                   “(vi) Have at least 80% of the assets of the certified business  
3036 enterprise, including bank accounts, be in the District.

3037                                   “(C) An applicant seeking to qualify as a medical cannabis certified  
3038 business enterprise shall submit with the application for registration of a dispensary, cultivation  
3039 center, or testing laboratory, an affidavit attesting to:

3040                                   “(i) The number of owners of the applicant who are economically  
3041 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or  
3042 cultural bias because of their identity as a member of a group without regard to their individual  
3043 qualities;

3044                                   “(ii) The ownership interest of any owners of the applicant who are  
3045 economically disadvantaged individuals or individuals who have been subjected to racial or  
3046 ethnic prejudice or cultural bias because of their identity as a member of a group without regard  
3047 to their individual qualities;

3048                                   “(iii) The number of employees of the applicant who are  
3049 economically disadvantaged individuals or individuals who have been subjected to racial or

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3050 ethnic prejudice or cultural bias because of their identity as a member of a group without regard to  
3051 their individual qualities; and

3052                                   “(iv) The number of contractors of the applicant who are  
3053 economically disadvantaged individuals or individuals who have been subjected to racial or  
3054 ethnic prejudice or cultural bias because of their identity as a member of a group without regard  
3055 to their individual qualities.

3056                                   “(D) For the purpose of this paragraph, the term:

3057                                   “(i) “Economically disadvantaged individual” shall have the same  
3058 meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise  
3059 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.  
3060 Official Code § 2-218.02(7)).

3061                                   “(ii) “Medical cannabis certified business enterprise” means a  
3062 certified business enterprise, as that term is defined in section 2302(1D) of the Small and  
3063 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,  
3064 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)), that operates a medical cannabis  
3065 business as a dispensary, cultivation center, or testing laboratory.”.

3066                                   (2) Subsection (e)(3) is amended by striking the phrase “that the Mayor may  
3067 allow” and inserting the phrase “that the ABC Board may allow” in its place.

3068                                   (3) Subsection (g-2) is amended by striking the phrase “the Mayor” and inserting  
3069 the phrase “the ABC Board” in its place.

3070                                   (4) Subsection (g-3) is amended by striking the phrase “the Mayor” and inserting  
3071 the phrase “the ABC Board” in its place.

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3072 (5) Subsection (j) is amended by striking the phrase “the Mayor” and inserting the  
3073 phrase “the ABC Board” in its place.

3074 (f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase “to  
3075 the Department” and inserting the phrase “to ABRA” in its place.

3076 (g) A new section 9a is added to read as follows:

3077 “Sec. 9a. Medical Cannabis Administration Fund.

3078 “(a) There is established as a special fund the Medical Cannabis Administration Fund  
3079 (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this  
3080 section.

3081 “(b) All funds received from medical cannabis licensing, permitting, and registration fees  
3082 shall be deposited into the Fund.

3083 “(c) Money deposited in the Fund shall be used by ABRA for the purpose of  
3084 administering the medical marijuana program.

3085 “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
3086 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
3087 other time.

3088 “(2) Subject to authorization in an approved budget and financial plan, any funds  
3089 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

3090 “(e) Funds received from penalties and fines imposed under section 9 shall be credited to  
3091 the unassigned fund balance of the General Fund of the District of Columbia.”.

3092 (h) Section 14 (D.C. Official Code § 7-1671.13) is amended by adding a new subsection  
3093 (a-1) to read as follows:



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3094           “(a-1) Pursuant to the transfer of functions of the Department of Health to ABRA by D.C.  
3095 Official Code § 25-204.02, the Mayor shall issue rules in accordance with subsection (b) of this  
3096 section, which rules shall allow registered dispensaries to provide medical marijuana to  
3097 qualifying patients through delivery, curbside pickup, and at-the-door options.”.

3098           Sec. 5013. Chapter 2 of Title 25 of the District of Columbia Official Code is amended as  
3099 follows:

3100           (a) The table of contents is amended by adding a new section designation to read as  
3101 follows:

3102           “25-204.02. Medical marijuana program; transfer of functions of the Department of  
3103 Health.”.

3104           (b) A new section 25-204.02 is added to read as follows:

3105           “§ 25-204.02. Medical marijuana program; transfer of functions of the Department of  
3106 Health.

3107           “(a) The Board and ABRA shall be responsible for carrying out the responsibilities  
3108 assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1999,  
3109 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*)  
3110 (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the Medical  
3111 Marijuana Act that the Mayor delegates to the Board or ABRA.

3112           “(b)(1) Except as provided in paragraph (2) of this subsection, all personal property,  
3113 assets, records, including both electronic and physical files, licensing agreements, and contracts,  
3114 equipment, computer software, obligations, and unexpended balances of appropriations,  
3115 allocations, assets, and liabilities, and other funds available or to be made available relating to

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3116 the powers, duties, functions, operations, and administration by the Department of Health of the  
3117 medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment  
3118 Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-  
3119 1671.01 *et seq.*), as of September 30, 2020, are transferred to ABRA.

3120           “(2) This subsection shall not apply to the personal property, assets, records,  
3121 including both electronic and physical files, licensing agreements, and contracts, equipment,  
3122 computer software, obligations, and unexpended balances of appropriations, allocations, assets,  
3123 and liabilities, and other funds available or to be made available relating to the powers, duties,  
3124 functions, operations, and administration by the Department of Health of the medical marijuana  
3125 program that are within the purview of the Board of Medicine, Board of Nursing, or Board of  
3126 Dentistry.

3127           “(c) All rules, orders, obligations, determinations, contracts, agreements, and  
3128 understandings of the Department of Health pertaining to the medical marijuana program shall  
3129 remain in effect until such time as they may be lawfully amended, modified, or repealed.

3130           “(d) ABRA shall coordinate with the Department of Health regarding the transition of the  
3131 administration of the medical marijuana program to ABRA.

3132           “(e)(1) The directors of ABRA and the Department of Health shall jointly determine  
3133 which personnel, if any, of the Department of Health associated with the administration of the  
3134 medical marijuana program shall be transferred from the Department of Health to ABRA.

3135           “(2) Personnel who are transferred to ABRA pursuant to this subsection shall be  
3136 subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the  
3137 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March

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3138 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to  
3139 employment classifications and pay scales.”.

3140 **SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS**  
3141 **QUALITY IMPROVEMENTS**

3142 Sec. 5021. Short title.

3143 This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality  
3144 Improvements Congressional Review Emergency Amendment Act of 2020”.

3145 Sec. 5022. Section 47-1273(a) of the District of Columbia Official Code is amended by  
3146 striking the figure “5.5%” and inserting the figure “6.0%” in its place.

3147

3148 **SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT**

3149 Sec. 5031. Short title.

3150 This subtitle may be cited as the “Medicaid Reserve Re-Establishment Congressional  
3151 Review Emergency Amendment Act of 2020”.

3152 Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective  
3153 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as  
3154 follows:

3155 (a) Section 8a (D.C. Official Code § 7-771.07a), is amended by adding a new subsection  
3156 (a-3) to read as follows:

3157 “(a-3) For Fiscal Year 2021, the Director may issue grants pursuant to section  
3158 8b(b)(4)(B)(ii) and (iii).”.

3159 (b) A new section 8b is added to read as follows:

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3160 “Sec. 8b. Medicaid reserve.

3161 “(a) Beginning October 1, 2020, a Medicaid reserve shall be re-established as paper  
3162 agency of the Department.

3163 “(b) Notwithstanding D.C. Official Code §§ 47-361, 47-362, 47-363, and 47-365, funds  
3164 may be transferred from the Medicaid reserve to the Department:

3165 “(1) To pay expenses associated with increased Medicaid enrollment or service  
3166 utilization upon a determination by the Agency Fiscal Officer that available funds within the  
3167 Department are projected to be exhausted;

3168 “(2) To pay expenses associated increased costs of Medicaid services upon a  
3169 determination by the Agency Fiscal Officer that available funds within the Department are  
3170 projected to be exhausted;

3171 “(3) To satisfy the District’s requirement that sufficient funds be available to  
3172 support a Department contract or a grant; and

3173 “(4) Provided that sufficient funds are still available within the Medicaid reserve  
3174 to ensure a deficiency will not occur at the Department, to support the following health  
3175 innovations within the Department:

3176 “(A) To create a Medicaid Buy-In Program;

3177 “(B) To fund telehealth programs including:

3178 “(i) Maintaining audio-only telehealth programs after a public  
3179 health emergency;

3180 “(ii) Funding the Postpartum Coverage Expansion Act of 2020,  
3181 passed on 2nd reading on July 21, 2020 (Enrolled version of Bill 23-326); and

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3182                                   “(iii) Issuing contracts or grants for the purposes of expanding  
3183 District health care providers’ digital or telehealth capacity, including, for example, such  
3184 innovations as the creation or expansion of patient care coordination platforms to enable  
3185 nonprofit entities and practitioners to communicate with Medicaid beneficiaries’ clinical and  
3186 recovery support care teams in real time to improve continuity of care and ensure proper follow-  
3187 up, including the purchase of telecommunications services, information services, devices,  
3188 software, remote patient monitoring tools, and digital health tools;

3189                                   “(C) To fund reforms to the DC Healthcare Alliance Program, including:

3190                                           “(i) Allowing eligible District residents to submit Alliance  
3191 applications electronically, without a face-to-face interview with the Department of Human  
3192 Services, during a public health emergency;

3193                                           “(ii) Allowing Alliance clients to submit recertification  
3194 applications to health care providers approved by the Department, without a face-to-face  
3195 interview with the Department of Human Services, after a public health emergency;

3196                                           “(iii) Extending the Alliance eligibility period from 6 months to  
3197 one year; and

3198                                   “(D) To award a competitive grant in an amount not to exceed \$150,000 to  
3199 fund operating expenses associated with the provision of medical respite care services to  
3200 individuals who are homeless.

3201                                   “(c) The Office of the Chief Financial Officer shall notify the Budget Director of the  
3202 Council of the District of Columbia in writing within 3 business days whenever a transfer is

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3203 made from the Medicaid reserve pursuant to this section. The notice shall set forth the amount  
3204 and purpose of the transfer.

3205 “(d) Funds may be reprogrammed from the Medicaid reserve for purposes other than  
3206 those detailed in subsection (b) of this section, subject to subchapter IV of Chapter 3 of Title 47  
3207 of the District of Columbia Official Code; provided, that the Office of the Chief Financial  
3208 Officer determines that sufficient funds are still available within the Medicaid reserve to ensure a  
3209 deficiency will not occur at the Department.”.

3210

3211 **SUBTITLE E. TELEHEALTH REIMBURSEMENT**

3212 Sec. 5041. Short title.

3213 This subtitle may be cited as the “Telehealth Reimbursement Congressional Review  
3214 Emergency Amendment Act of 2020”.

3215 Sec. 5042. Section 2(4) of the Telehealth Reimbursement Act of 2013, effective October  
3216 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)), is amended by striking the phrase  
3217 “through audio only telephones, electronic mail messages, or facsimile” and inserting the phrase  
3218 “through email messages or facsimile” in its place.

3219 **SUBTITLE F. HEALTH PROFESSIONAL RECRUITMENT AND RETENTION**

3220 Sec. 5051. Short title.

3221 This subtitle may be cited as the “District of Columbia Health Professional Recruitment  
3222 and Retention Congressional Review Emergency Amendment Act of 2020”.

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3223           Sec. 5052. The District of Columbia Health Professional Recruitment Program Act of  
3224 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.01 *et seq.*), is  
3225 amended as follows:

3226           (a) Section 3 (D.C. Official Code § 7-751.02) is amended as follows:

3227                   (1) Subsection (a) is amended by striking the phrase “recruitment tool” and  
3228 inserting the phrase “recruitment and retention tool” in its place.

3229                   (2) Subsection (b) is amended to read as follows:

3230           “(b) Based on the availability of funds, the Program will pay for, among other expenses,  
3231 the cost of education necessary to obtain a health professional degree. The Program will pay  
3232 toward the outstanding principal, interest, and related expense of federal, state, or local  
3233 government loans and commercial loans obtained by the participant for:

3234                   “(1) School tuition and required fees incurred by the participant;

3235                   “(2) Reasonable educational expenses; and

3236                   “(3) Incentive payments that lead to the retention of existing Program participants  
3237 to practice in Ward 7 or 8; provided, that retention incentives shall be limited to \$15,000 per  
3238 participant per year.”.

3239           (b) Section 9 (D.C. Official Code § 7-751.08), is amended by adding a new subsection (a-  
3240 1) to read as follows:

3241           “(a-1) Physicians who specialize and practice in obstetrics and gynecology, psychiatry, or  
3242 other medical specialties specifically identified by the Director shall be eligible to have 100% of  
3243 their total debt, not to exceed \$200,000, repaid by the Program over 4 years of service; provided,

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3244 that the participants provide full-time service in Ward 7 or 8. For each year of participation, the

3245 Program will repay loan amounts according to the following schedule:

3246 “(1) For the first year of service, 18% of their total debt, not to exceed \$36,000;

3247 “(2) For the second year of service, 26% of their total debt, not to exceed \$52,000;

3248 “(3) For the third year of service, 28% of their total debt, not to exceed \$56,000;

3249 and

3250 “(4) For the fourth year of service, 28% of their total debt, not to exceed

3251 \$56,000.”.

3252 (c) Section 16a (D.C. Official Code § 7-751.15a) is amended as follows:

3253 (1) Subsection (a) is amended by striking the phrase “loan repayments” and

3254 inserting the phrase “loan repayments and retention incentives” in its place.

3255 (2) A new subsection (d) is added to read as follows:

3256 “(d) The Department of Health shall segregate the \$1.5 million local funds enhancement

3257 provided in the Fiscal Year 2021 budget into a separate subaccount, which shall only be

3258 expended for:

3259 “(1) Section 3(b)(3); or

3260 “(2) Section 9(a-1).”.

3261 **SUBTITLE G. HEALTH CARE GRANT-MAKING AUTHORITY**

3262 Sec. 5061. Short title.

3263 This subtitle may be cited as the “Fiscal Year 2021 Health Care Grant-Making Authority

3264 Congressional Review Emergency Amendment Act of 2020”.



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3265           Sec. 5062. Section 4907a of the Department of Health Functions Clarification Act of  
3266 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended  
3267 by adding a new subsection (l) to read as follows:

3268           “(l)(1) For Fiscal Year 2021, the Director of the Department of Health shall have the  
3269 authority to award one or more competitive grants in an amount not to exceed \$250,000 to fund  
3270 an initiative to connect prenatal care for residents in Wards 7 and 8 to labor and delivery options  
3271 in other parts of the District.

3272           “(2) In establishing the criteria for the award of grants pursuant to paragraph (1)  
3273 of this subsection, the Department shall prioritize community-based initiatives that:

3274                           “(A) Offer peer support networks;

3275                           “(B) Provide co-management of the patient’s treatment;

3276                           “(C) Arrange for access to maternal and fetal medicine specialty services;

3277                           “(D) Utilize a health information exchange; and

3278                           “(E) Furnish financial assistance with transportation needs.”.

3279

3280           Sec. 5063. Section 8a of the Department of Health Care Finance Establishment Act of  
3281 2007, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 7-771.07a), is  
3282 amended by adding a new subsection (a-4) to read as follows:

3283           “(a-4) For Fiscal Year 2021, the Director may:

3284                           “(1)(A) Award a competitive grant in an amount not to exceed \$150,000 to fund  
3285 operating expenses associated with the provision of medical respite care services to individuals  
3286 who are homeless; provided, that if such a grant is awarded to a Federally Qualified Health

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3287 Center (“FQHC”), the amount of the grant shall not be offset against the FQHC’s expenses for  
3288 the purpose of determining its allowable cost in accordance with section 4511.2 of Title 29 of the  
3289 District of Columbia Municipal Regulations (29 DCMR § 4511.2).

3290 “(B) At a minimum, the selected entity shall possess:

3291 “(i) The staff capacity and expertise necessary to provide medical  
3292 respite care, with a particular emphasis on care for women who are homeless; and

3293 “(ii) The ability to provide case management services, including  
3294 assistance in accessing permanent housing services.

3295 “(2) If a grant is awarded, then by September 30, 2021, the Director shall submit a  
3296 report to the Council that sets forth:

3297 “(A) Recommendations for the establishment of medical respite care  
3298 services for homeless individuals, through either:

3299 “(i) An amendment to the District of Columbia Medicaid State  
3300 Plan; or

3301 “(ii) A waiver pursuant to section 1115 of the Social Security Act,  
3302 approved July 25, 1962 (76 Stat. 192; 42 U.S.C. § 1315), for home and community-based  
3303 services;

3304 “(B) The types of services that may be offered to homeless individuals  
3305 through a medical care respite program; and

3306 “(C) An identification of any potential restrictions on the provision of  
3307 services identified pursuant to sub-subparagraph (ii) of this subparagraph, including the use of  
3308 prior authorization.”.

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3309 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

3310 **SUBTITLE A. OPPORTUNITY ACCOUNTS**

3311 Sec. 6001. Short title.

3312 This subtitle may be cited as the “Opportunity Accounts Expansion Congressional  
3313 Review Emergency Amendment Act of 2020”.

3314 Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-  
3315 266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

3316 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph  
3317 (2A) to read as follows:

3318 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,  
3319 Securities, and Banking.”.

3320 (b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

3321 (1) Paragraph (1) is amended by striking the phrase “; and” and inserting a  
3322 semicolon in its place.

3323 (2) Paragraph (2) is amended by striking the phrase “per account.” and inserting  
3324 the phrase “per account, except as provided in paragraph (3) of this subsection; and” in its place.

3325 (3) A new paragraph (3) is added to read as follows:

3326 “(3) The Commissioner may waive the requirement in subsection (a) of this  
3327 section and may provide matching funds of up to \$4 for every dollar the account holder deposits  
3328 into the opportunity account when adequate federal or private matching funds are not available.  
3329 For each additional dollar of matching funds that the District provides to an opportunity account

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3330 pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this  
3331 subsection for that account shall be increased by \$1.”.

3332 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

3333 (1) Paragraph (6) is repealed.

3334 (2) Paragraph (8) is amended by striking the period at the end and inserting the  
3335 phrase “; and” in its place.

3336 (3) A new paragraph (9) is added to read as follows:

3337 “(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to  
3338 section 14.”.

3339 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

3340 (1) Subsection (b) is amended as follows:

3341 (i) Paragraph (2) is amended by striking the phrase “; or” and inserting a  
3342 semicolon in its place.

3343 (ii) Paragraph (3) is amended by striking the period and inserting the  
3344 phrase “; and” in its place.

3345 (iii) A new paragraph (4) is added to read as follows:

3346 “(4) Making health insurance premium payments in the event of a sudden,  
3347 unexpected loss of income.”.

3348 (2) Subsection (c) is repealed.

3349 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

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3350 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at  
3351 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited  
3352 by the account holder and shall not withdraw matching funds.

3353 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at  
3354 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the  
3355 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical  
3356 emergency.

3357 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at  
3358 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the  
3359 account holder and matching funds.”.

3360 (4) The lead-in language of subsection (e) is amended to read as follows:

3361 “An account holder shall not be required to repay funds withdrawn from the opportunity  
3362 account for an emergency withdrawal but shall resume making deposits into the opportunity  
3363 account no later than 90 days after the emergency withdrawal. If the account holder fails to make  
3364 a deposit no later than 90 days after the emergency withdrawal:”.

3365 Sec. 6003. Repealer.

3366 Section 301 of the Coronavirus Support Temporary Amendment Act of 2020, enacted on  
3367 July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

3368 **SUBTITLE B. GREEN BUILDING FUND USE EXPANSION**

3369 Sec. 6011. Short title.

3370 This subtitle may be cited as the “Green Building Fund Use Expansion Congressional  
3371 Review Emergency Amendment Act of 2020”.

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3372 Sec. 6012. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007

3373 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

3374 (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon  
3375 in its place.

3376 (b) Subparagraph (E) is amended by striking the period and inserting the phrase “; and”  
3377 in its place.

3378 (c) A new subparagraph (F) is added to read as follows:

3379 “(F) Costs incurred to make green building materials accessible to low-  
3380 income residents.”.

3381

### 3382 **SUBTITLE C. GAME OF SKILL MACHINES**

3383 Sec. 6021. Short title.

3384 This subtitle may be cited as the “Game of Skill Machines Consumer Protection  
3385 Congressional Review Emergency Amendment Act of 2020”.

3386 Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles  
3387 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;

3388 D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

3389 (a) Section 3 (D.C. Official Code § 22-1716) is amended by striking the phrase “Monte  
3390 Carlo night parties,” and inserting the phrase “Monte Carlo night parties, game of skill  
3391 machines,” in its place.

3392 (b) Section 3 (D.C. Official Code § 22-1717) is amended by striking the phrase “or sports  
3393 wagering regulated, licensed, or operated by the Office of Lottery and Gaming.” and inserting

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3394 the phrase “sports wagering regulated, licensed, or operated by the Office of Lottery and  
3395 Gaming, or game of skill machines licensed and regulated by the Office of Lottery and Gaming.”  
3396 in its place.

3397 (c) Section 3(a) (D.C. Official Code § 22-1718(a)) is amended by striking the phrase “or  
3398 the sale, lease, purchase, or possession of tickets, slips, certificates, or cards for sports wagering  
3399 excepted and permissible pursuant to § 22-1717.” and inserting the phrase “the sale, lease,  
3400 purchase, or possession of tickets, slips, certificates, or cards for sports wagering excepted and  
3401 permissible pursuant to § 22-1717, or the manufacture, distribution, servicing, retailing, sale,  
3402 lease, purchase, or possession of machines, tickets, slips, certificates, or cards for game of skill  
3403 machines excepted and permissible pursuant to § 22-1717.” in its place.

3404 (d) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

3405 (1) The section heading is amended to read as follows:

3406 “Sec. 4. Lottery, Gambling, and Gaming Fund.”.

3407 (2) Subsection (a) is amended to read as follows:

3408 “(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund  
3409 (“Fund”), which shall be administered by the Chief Financial Officer. Revenue from the  
3410 following sources shall be deposited into the Fund or a division of the Fund, as established by the  
3411 Chief Financial Officer:

3412 “(1) All funds generated by gambling activities operated or licensed by the Chief  
3413 Financial Officer; and

3414 “(2) All fees collected pursuant to sections 406 through 409.”.

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3415 (3) Subsection (c) is amended by striking the word “gambling” and inserting the  
3416 phrase “gambling and gaming” in its place.

3417 (e) A new Title IV is added to read as follows:

3418 “TITLE IV. GAME OF SKILL MACHINES.

3419 “Sec. 401. Definitions

3420 “For purposes of this title, the term:

3421 “(1) “ABC Board” means the Alcoholic Beverage Control Board.

3422 “(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

3423 “(3) “CFO” means the Chief Financial Officer of the District of Columbia.

3424 “(4) “Centralized accounting system” and “CAS” mean the accounting system  
3425 linked by a communications network as described in sections 410 and 414.

3426 “(5) “Distributor” means a person licensed under this title to buy, sell, lease,  
3427 maintain, or service game of skill machines, or any major components or parts of a game of skill  
3428 machine, for distribution to retailers.

3429 “(6) “Game of skill machine” means a mechanical or electronic gaming device  
3430 that rewards the winning player or players with cash, a gift card, or a voucher that can be  
3431 redeemed for cash. The term “game of skill machine” does not include a mechanical or  
3432 electronic gaming device if:

3433 “(A) The ability of a player to succeed at the game is impacted by the  
3434 number or ratio of prior wins to prior losses of players playing the game;

3435 “(B) The outcome of the game can be controlled by a source other than a  
3436 player playing the game;



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3437                           “(C) The success of a player is or may be determined by a chance event  
3438 that cannot be altered by the player’s actions;

3439                           “(D) The ability of a player to succeed at the game is impacted by game  
3440 features not visible or known to a reasonable player; or

3441                           “(E) The ability of a player to succeed at the game is impacted by the  
3442 exercise of skill that no reasonable player could exercise.

3443                           “(7) “Gross game of skill machine revenue” means the total of cash or cash  
3444 equivalents received from a game of skill machine minus the total of:

3445                           “(A) Cash or cash equivalents paid to players as a result of a game of skill  
3446 machine;

3447                           “(B) Cash or cash equivalents paid to purchase annuities to fund prizes  
3448 payable to players over a period of time as a result of a game of skill machine; and

3449                           “(C) The actual cost paid by the license holder for personal property  
3450 distributed to a player as a result of a game of skill machine, excluding travel expenses, food,  
3451 refreshments, lodging, and services.

3452                           “(8) “Licensed establishment” means an on-premises retail establishment licensed  
3453 by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

3454                           “(9) “Licensed premises” means the physical location of a licensed establishment  
3455 that is authorized by the Office to offer game of skill machines.

3456                           “(10) “Licensee” means a person who possesses a game of skill manufacturer,  
3457 distributor, supplier, or retailer license issued by the Office.

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3458                   “(11) “Manufacturer” means a person that is licensed under this title and that  
3459 manufactures or assembles game of skill machines for sale or lease to distributors.

3460                   “(12) “Office” means the Office of Lottery and Gaming.

3461                   “(13) “Retailer” means a person that is licensed under this title to offer game of  
3462 skill machines on its licensed premises.

3463                   “(14) “Supplier” means a person that is licensed under this title to supply major  
3464 components or parts of game of skill machines to licensed manufacturers or distributors.

3465                   “Sec. 402. Authorization of game of skill machines.

3466                   “The operation of game of skill machines shall be lawful in the District if conducted in  
3467 accordance with this title and the rules issued pursuant to this title.

3468                   “Sec. 403. Game of skill machine license requirements; prohibition.

3469                   “(a) Except as provided in subsection (f) of this section, no person may offer or allow a  
3470 game of skill machine in the District unless all the licenses required by this title, or by a rule  
3471 issued pursuant to this title, have been duly obtained.

3472                   “(b)(1) The Office shall issue the following categories of game of skill machine licenses:

3473                                   “(A) Manufacturer;

3474                                   “(B) Distributor;

3475                                   “(C) Supplier; and

3476                                   “(D) Retailer.

3477                   “(2) The Office shall not grant a license listed in paragraph (1) of this subsection  
3478 until it has determined that each person that possesses 10% or greater beneficial or proprietary

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3479 interest in the applicant has been approved for licensure in accordance with this title and rules  
3480 issued pursuant to this title.

3481 “(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be  
3482 subject to District and national criminal history background checks.

3483 “(2) The applicant shall submit an application to the Office, in a form determined  
3484 by the Office, for fingerprints for a national criminal records check by the Metropolitan Police  
3485 Department and the Federal Bureau of Investigation of all individuals required to be named in  
3486 the application and a signed authorization of each individual submitting fingerprints for the  
3487 release of information by the Metropolitan Police Department and the Federal Bureau of  
3488 Investigation.

3489 “(3) In the case of an application for license renewal, the Office may require  
3490 additional background checks.

3491 “(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-  
3492 102.08 of an applicant for a license pursuant to this title and may, in addition, require  
3493 certification that the Citywide Clean Hands Database indicates that the proposed licensee is  
3494 current with its District taxes.

3495 “(e) Proprietary information, trade secrets, financial information, and personal  
3496 information about a person in an application submitted to the Office pursuant to this title shall  
3497 not be a public record and shall not be made available under the Freedom of Information Act of  
3498 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any  
3499 other law.

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3500           “(f)(1) A retailer shall display its license as required by section 411(d) and shall make the  
3501 license immediately available for inspection upon request by an employee of the Office, the  
3502 Metropolitan Police Department, or ABRA.

3503           “(2) When present at a licensed establishment, an employee of a distributor shall  
3504 carry a copy of its license and make it readily available for inspection by an employee of the  
3505 Office, the Metropolitan Police Department, or ABRA.

3506           “(g) A licensed establishment that applied for and obtained a game of skill machine  
3507 endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e) prior to the  
3508 effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed on 2nd  
3509 reading on July 28, 2020 (Enrolled version of Bill 23-760) (“Act”), shall have 180 calendar days  
3510 after the effective date of the Act to come into compliance with this title or rules issued pursuant  
3511 to this title. Failure to do so may result in the Office taking action against the licensed  
3512 establishment in accordance with section 417.

3513           “Sec. 404. License prohibitions; suspensions and revocation of licenses.

3514           “(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office  
3515 shall define disqualifying offenses by a rule issued pursuant to this title.

3516           “(b) No Office or ABRA employee, or immediate family member of an Office or ABRA  
3517 employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this  
3518 title.

3519           “(c) Failure of an applicant or licensee to notify the Office of a change to the information  
3520 provided in its application for license or renewal within 10 days after the change may result in

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3521 the Office suspending or revoking the licensee’s license, denying the applicant’s license, or  
3522 issuing a fine.

3523 “(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a  
3524 license previously granted, if evidence satisfactory to the Office exists that the applicant or  
3525 licensee has:

3526 “(A) Knowingly made a false statement of a material fact to the Office;

3527 “(B) Had a license revoked by a governmental authority responsible for  
3528 regulation of games of skill;

3529 “(C) Been convicted of a felony and has not received a pardon or been  
3530 released from parole or probation for at least 5 years; or

3531 “(D) Been convicted of a gambling-related offense or a theft or fraud  
3532 offense.

3533 “(2) The Office may deny a license to an applicant or suspend or revoke a license  
3534 of a licensee if the applicant or licensee:

3535 “(A) Has not demonstrated, to the satisfaction of the Office, financial  
3536 responsibility sufficient to adequately meet the requirement of the proposed activity;

3537 “(B) Is not the true owner of the licensed business or has not disclosed the  
3538 existence or identity of another individual or entity that has an ownership interest in the business;

3539 or

3540 “(C) Is a corporation that sells more than 5% of a licensee’s voting stock,  
3541 more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s  
3542 assets to an individual or entity not already determined by the Office to have met the

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3543 qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not  
3544 already determined by the Office to have met the qualifications of a licensee pursuant to this title  
3545 holds more than 10% interest in the non-corporate entity.

3546 “Sec. 405. Conflicts of interest.

3547 “(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the  
3548 Office shall determine that the applicant is not disqualified because of a conflicting interest in  
3549 another license.

3550 “(b) In making a determination regarding a conflicting interest, the following standards  
3551 shall apply:

3552 “(1) No licensee under a supplier’s license shall hold a license in another license  
3553 issued under this title.

3554 “(2) No licensee under a distributor’s license shall hold a license in another  
3555 license issued under this title; except, that the holder of a distributor’s license may also hold a  
3556 manufacturer’s license.

3557 “(3) No licensee under a manufacturer’s license shall hold another license issued  
3558 under this title; except, that the holder of a manufacturer’s license may also hold a distributor’s  
3559 license.

3560 “Sec. 406. Manufacturer licensure.

3561 “(a) A person may not manufacture a game of skill machine in the District unless the  
3562 person has a valid manufacturer’s license issued under this title. A manufacturer may only sell  
3563 game of skill machines for use in the District to persons having a valid distributor’s license.

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3564           “(b) A person applying for a manufacturer’s license shall do so on a form prescribed by  
3565 the Office. The form shall require:

3566                   “(1) The name of the applicant;

3567                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3568 name of the state in which it is incorporated, the location of its principal place of business, and  
3569 the names and addresses of its directors;

3570                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3571 stability, such as bank statements, business and personal income and disbursement schedules,  
3572 and tax returns; and

3573                   “(4) Any other information the Office considers necessary.

3574           “(c) In considering whether to approve an application for a distributor’s license, the  
3575 Office may consider evidence the distributor submitted to the Office of an existing license as a  
3576 distributor from another jurisdiction that the Office has determined has licensing requirements  
3577 similar to those required by the District.

3578           “(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee  
3579 of \$10,000 with the application.

3580           “(e) A manufacturer’s license shall be renewed annually; provided, that the licensee has  
3581 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3582 its renewal application a \$5,000 renewal fee.

3583           “Sec. 407. Distributor licensure.

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3584           “(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of  
3585 skill machine or a major component or part of a game of skill machine for distribution in the  
3586 District unless the person has a valid distributor’s license issued by the Office.

3587           “(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a  
3588 game of skill machine or any major component or part of a game of skill machine for distribution  
3589 in the District to a licensed establishment that possesses a retailer’s license from the Office and a  
3590 game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-  
3591 113.01(e). No distributor may give anything of value, including a loan or financing agreement,  
3592 to a licensed establishment as an incentive or inducement to locate a game of skill machine in the  
3593 establishment.

3594           “(c) A person applying for a distributor’s license shall do so on a form prescribed by the  
3595 Office. The form shall require:

3596                   “(1) The name of the applicant;

3597                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3598 name of the state in which it is incorporated, the location of its principal place of business, and  
3599 the names and addresses of its directors;

3600                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3601 stability, such as bank statements, business and personal income and disbursement schedules,  
3602 and tax returns; and

3603                   “(4) Any other information the Office considers necessary.

3604           “(d) In considering whether to approve an application for a distributor’s license, the  
3605 Office may consider evidence the distributor submitted to the Office of an existing license as a



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3606 distributor from another jurisdiction that the Office has determined has licensing requirements  
3607 similar to those required by the District.

3608       “(e) An applicant for a distributor’s license shall demonstrate that the equipment, system,  
3609 or device that the applicant plans to offer to retailers conforms to standards established pursuant  
3610 to this title, rules issued pursuant to this title, and other applicable law.

3611       “(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of  
3612 \$10,000 with the application.

3613       “(g) A distributor’s license shall be renewed annually; provided, that the licensee has  
3614 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3615 its renewal application a \$5,000 renewal fee.

3616       “(h) A distributor shall submit to the Office, at such times as are established by the Office  
3617 by rule, a list of all game of skill machines sold, delivered, or offered to a retailer. All such  
3618 equipment shall be tested and approved by an independent testing laboratory approved by the  
3619 Office.

3620       “Sec. 408. Supplier licensure.

3621       “(a) A person shall not sell parts or components for a game of skill machine or provide  
3622 services related to a game of skill machine unless the person has a valid supplier’s license. A  
3623 supplier may only provide parts and components for a game of skill machine or services related  
3624 to a game of skill machine for use in the District to a person having a valid manufacturer’s or  
3625 distributor’s license.

3626       “(b) A person applying for a supplier’s license shall do so on a form prescribed by the  
3627 Office. The form shall require:

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3628 “(1) The name of the applicant;

3629 “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3630 name of the state in which it is incorporated, the location of its principal place of business, and  
3631 the names and addresses of its directors;

3632 “(3) A report of the applicant’s financial activities, including evidence of financial  
3633 stability, such as bank statements, business and personal income and disbursement schedules,  
3634 and tax returns; and

3635 “(4) Any other information the Office considers necessary.”.

3636 “(c) In considering whether to approve an application for a supplier’s license, the Office  
3637 may consider evidence the supplier submitted to the Office of an existing license as a supplier  
3638 from another jurisdiction that the Office has determined has licensing requirements similar to  
3639 those required by the District.

3640 “(d) An applicant for a supplier’s license shall demonstrate that the equipment,  
3641 components, or parts that the applicant plans to offer to manufacturers or distributors conform to  
3642 standards established pursuant to this title, rules issued pursuant to this title, and other applicable  
3643 law.

3644 “(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of  
3645 \$2,000 with the application.

3646 “(f) A supplier’s license shall be renewed annually; provided, that the licensee has  
3647 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3648 its renewal application a \$1,000 renewal fee.

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3649           “(g) A supplier shall submit to the Office, at such times as are established by the Office  
3650 by rule, a list of all components or parts for game of skill machines sold, delivered, or offered to  
3651 a manufacturer or operator. All such equipment shall be tested and approved by an independent  
3652 testing laboratory approved by the Office.

3653           “Sec. 409. Retailer licensure; registration of game of skill machines.

3654           “(a)(1) A person may not own, lease, maintain, install, make available, or offer or allow  
3655 another to play a game of skill machine in the District unless the person:

3656                           “(A) Is a licensed establishment;

3657                           “(B) Possesses a retailer’s license from the Office and a game of skill  
3658 machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e); and

3659                           “(C) Has entered into a written use agreement with a licensed distributor  
3660 for the placement or installation of a game of skill machine on the licensed premises.

3661           “(2) A person convicted of violating this subsection shall be subject to a fine not  
3662 to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license,  
3663 or all of the foregoing.

3664           “(b)(1) Each game of skill machine located on a retailer’s licensed premises shall be  
3665 registered with the Office by the retailer before the game of skill machine is installed on the  
3666 licensed premises.

3667           “(2) A retailer may register and operate up to 5 game of skill machines on the  
3668 licensed premises at any time. The registration fee for each game of skill machine shall be \$100.

3669           “(3) The Office shall issue to the retailer a registration sticker for placement on  
3670 each registered game of skill machine.

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3671           “(c) A person shall apply for a retailer’s license on a form prescribed by the Office. The  
3672 form shall require:

3673                   “(1) The name of the applicant;

3674                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3675 name of the state in which it is incorporated, the location of its principal place of business, and  
3676 the names and addresses of its directors;

3677                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3678 stability, such as bank statements, business and personal income and disbursement schedules,  
3679 and tax returns; and

3680                   “(4) Any other information the Office considers necessary.

3681           “(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300  
3682 with the application.

3683           “(e) A retailer’s license shall be renewed annually; provided, that the licensee continued  
3684 to comply with the statutory and regulatory requirements and pays upon submission of its  
3685 renewal application a \$300 renewal fee.

3686           “(f) The Office shall require a retailer to be bonded, in such amounts and in such manner  
3687 as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District  
3688 government against any actions, claims, and demands of whatever kind or nature that the District  
3689 may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

3690           “Sec. 410. Minimum requirements of game of skill machines.

3691           “(a)(1) Every game of skill machine offered for play shall first be tested and approved  
3692 pursuant to this title and rules issued pursuant to this title.

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3693                   “(2) The Office shall utilize the services of an accredited independent outside  
3694 testing laboratory to test and assess each game of skill machine.

3695                   “(3) The applicant shall be responsible for paying the fees associated with testing  
3696 the game of skill machines.

3697                   “(b) Every game of skill machine offered in the District shall meet the minimum  
3698 standards approved by the Office, including that a game of skill machine:

3699                   “(1) Conform to all requirements of federal law and regulations, including the  
3700 Federal Communications Commission’s Class A emissions standards;

3701                   “(2) Pay out a mathematically demonstrable percentage during the expected  
3702 lifetime of the machine of all amounts played, which shall not be less than 80%;

3703                   “(3) Display an accurate representation of the game outcome;

3704                   “(4) Not automatically alter pay tables or any function of the game of skill  
3705 machine based on an internal computation of a hold percentage or have a means of manipulation  
3706 that affects the random selection process or probabilities of winning a game;

3707                   “(5) Not be negatively affected by static discharge or other electromagnetic  
3708 interference;

3709                   “(6) Be capable of displaying the following during idle status: “power reset”;  
3710 “door open”; or “door closed”;

3711                   “(7) Be able to detect and display the game’s complete play history and winnings  
3712 for the previous 10 games;

3713                   “(8) Not have a theoretical payback percentage capable of being changed without  
3714 making a hardware or software change in the machine itself;

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3715                   “(9) Be designed so that the replacement of parts or modules required for normal  
3716 maintenance does not necessitate replacement of the electromechanical meters;

3717                   “(10) Contain a non-resettable meter that shall be located in a locked area of the  
3718 machine that is accessible only by a key;

3719                   “(11) Be capable of storing the meter information required by paragraph (10) of  
3720 this subsection for a minimum of 180 days after a power loss to the machine;

3721                   “(12) Have accounting software that keeps an electronic record that includes:

3722                                 “(A) Total cash inserted into the game of skill machine;

3723                                 “(B) The value of winning tickets awarded to players by the game of skill  
3724 machine;

3725                                 “(C) The total credits played on the game of skill machine;

3726                                 “(D) The total credits awarded by the game of skill machine; and

3727                                 “(E) The payback percentage credited to players of the game of skill  
3728 machine;

3729                   “(13) Be linked to a centralized accounting system that will allow the Office to  
3730 activate or deactivate the game of skill machine from the centralized system remotely; and

3731                   “(14) Be linked to a centralized accounting system in accordance with section 414  
3732 by which all approved game of skill machines shall be connected for the purposes set forth in  
3733 section 414.

3734                   “(c) The CFO may issue rules to establish additional licensing and registration  
3735 requirements.

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3736           “Sec. 411. Registration; display of registration sticker, license, and warning sign;  
3737 locations of game of skill machines.

3738           “(a) A retailer shall register each of its game of skill machines in the District with the  
3739 Office before the game of skill machine may be installed at the licensed establishment.

3740           “(b) A retailer shall locate its game of skill machines for play only in specific locations  
3741 approved by ABRA within the retailer’s licensed establishment.

3742           “(c) A retailer shall affix and maintain a registration sticker issued by the Office to the  
3743 game of skill machine at all times the game of skill machine is located at the establishment. If the  
3744 registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office \$75  
3745 for a replacement registration sticker.

3746           “(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good  
3747 repair and in a place clearly visible at the point of entry to the designated areas where the game  
3748 of skill machines are located. The warning sign shall include:

3749                   “(1) The minimum age required to play a game of skill machine;

3750                   “(2) The contact information for the District’s gambling hotline; and

3751                   “(3) The contact information for the Office for purposes of filing a complaint  
3752 against the manufacturer, supplier, distributor, or retailer.

3753           “(e) Failure to display the registration sticker, license, or warning sign may result in the  
3754 Office revoking or suspending the license or issuing a fine against the licensed establishment  
3755 pursuant to section 416.

3756           “Sec. 412. Cash award.

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3757           “(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the  
3758 conclusion of the game, a player is entitled to a cash award, the game of skill machine shall  
3759 dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

3760                   “(1) The total amount of the cash award;

3761                   “(2) The time of day that the cash award was issued in a 24-hour format showing  
3762 hours and minutes, the date, the terminal serial number, and the sequential number of the ticket  
3763 or voucher; and

3764                   “(3) An encrypted validation number from which the validity of the cash award  
3765 may be determined.

3766           “(b) A retailer shall allow a player to take the ticket or voucher to the owner of the  
3767 licensed establishment or the owner’s designee, who shall be located at the licensed  
3768 establishment, for payment of the cash award.

3769           “Sec. 413. Game of skill machine use by minors prohibited.

3770           “(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill  
3771 machine.

3772           “(b) The Office may suspend or revoke a license and issue a fine, in accordance with  
3773 section 416, against a licensee that knowingly allows a person under the age of 18 to use or play  
3774 a game of skill machine.

3775           “Sec. 414. Centralized accounting system.

3776           “(a)(1) Within 6 months after the effective date of the Game of Skill Machines Consumer  
3777 Protection Act of 2020, passed on 2nd reading on July 28, 2020 (Enrolled version of Bill 23-760)  
3778 (“Act”), the Office shall issue a solicitation to procure a centralized accounting system, which



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3779 shall be administered by the Office and designed and operated to allow the monitoring and  
3780 reading of all game of skill machines for the purpose of compliance with this title and rules  
3781 issued pursuant to this title.

3782 “(2) When the Office is satisfied with the operation of the CAS, it shall:

3783 “(A) Certify the effective status of the system; and

3784 “(B) Notify all retailers of the date by which the retailer’s game of skill  
3785 machines must be linked to the CAS.

3786 “(b)(1)(A) A game of skill machine approved prior to the effective date of the Act shall  
3787 be connected to the CAS within one year after notification pursuant to subsection (a)(2) of this  
3788 section.

3789 “(B) A game of skill machine approved on or after the effective date of the  
3790 Act but prior to the deployment of the CAS shall be connected within 6 months after notification  
3791 pursuant subsection (a)(2) of this section.

3792 “(C) A game of skill machine approved after the effective date of the Act  
3793 and after deployment of the CAS shall be connected to the CAS prior to operation of the game of  
3794 skill machine.

3795 “(2) After a game of skill machine has been connected to the CAS, it shall remain  
3796 connected as required by the Office.

3797 “(c) All game of skill machines registered in the District shall be linked to the CAS for  
3798 purposes of accounting, reporting, monitoring, and reading machine activities as provided for in  
3799 this title or rules issued pursuant to this title.

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3800           “(d) The CAS shall not provide for the monitoring or reading of personal or financial  
3801 information concerning patrons of game of skill machines.

3802           “(e) Employees and agents of a contractor or subcontractor of the Office that is engaged  
3803 in building, operating, maintaining, or contracting to build, operate, or maintain the CAS, and the  
3804 immediate family members of such employees and agents, shall be prohibited from obtaining a  
3805 license under this title.

3806           “(f) Unless a retailer’s license is canceled, suspended, or revoked, nothing in this section  
3807 shall authorize the Office to limit or eliminate a registered game of skill from the CAS.

3808           “Sec. 415. Insurance.

3809           “Each distributor shall maintain liability insurance on all game of skill machines that it  
3810 places in a licensed establishment in an amount set by the Office by rule issued pursuant to this  
3811 title.

3812           “Sec. 416. Penalties.

3813           “(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office  
3814 may:

3815                   “(1) Impose a fine of not more than \$50,000;

3816                   “(2) Revoke a licensee’s license; or

3817                   “(3) Suspend the licensee’s license for up to one year.

3818           “(b) A person that has been fined or whose application has been denied, revoked, or  
3819 suspended pursuant to this section shall have a right to a hearing before the Office and, in the  
3820 event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal  
3821 the decision of the Office to the Superior Court of the District of Columbia.

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3822           “(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a  
3823 retailer’s license.

3824           “Sec. 417. Authority of the Office.

3825           “(a) The Office may enforce the provisions of this title with respect to licensees and any  
3826 individual or entity not holding a license and offering a game of skill machine in violation of the  
3827 provisions of this title or rules issued pursuant to this title.

3828           “(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police  
3829 Department may issue citations for civil violations of this title as set forth in rules issued  
3830 pursuant to this title.

3831           “(c) A citation for a violation for which the penalty includes the suspension or revocation  
3832 of a license shall be issued by the Office as a result of an investigation carried out by the Office.

3833           “(d) The Office may request and check the identification of a person who has played, is  
3834 playing, or is attempting to play a game of skill machine. The Office may seize evidence that  
3835 substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash  
3836 awards issued to a person under the age of 18 and fake identification documents used by a person  
3837 under the age of 18.

3838           “(e) The Office may seize a game of skill machine license from an establishment if:

3839                   “(1) The game of skill machine license has been suspended, revoked, or canceled  
3840 by the Office;

3841                   “(2) The business is no longer in existence; or

3842                   “(3) The business has been closed by another District government agency.

3843           “Sec. 418. Investigations and inspections.

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3844           “(a) The Office may conduct investigations, searches, seizures, and perform other duties  
3845 authorized by this title and rules issued pursuant to this title.

3846           “(b) An applicant for a license and each licensee shall allow an authorized member of the  
3847 Office, an ABRA investigator, or any member of the Metropolitan Police Department full  
3848 opportunity to examine at any time during business hours:

3849                   “(1) The location on the premises where game of skill machines are available to  
3850 play; and

3851                   “(2) The books and records of the licensee or applicant.

3852           “Sec. 419. Unlawful acts; action by the Attorney General.

3853           “(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or  
3854 agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make  
3855 a false or misleading representation concerning an individual’s chances, likelihood, or  
3856 probability of winning at playing a game of skill machine.

3857                   “(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false  
3858 or misleading statement by a licensee shall have a cause of action in a court of competent  
3859 jurisdiction for damages and any legal or equitable relief as may be appropriate.

3860           “(b) The Attorney General for the District of Columbia, in the name of the District of  
3861 Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an  
3862 individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or rule  
3863 issued pursuant to this title.

3864           “Sec. 420. Taxation of game of skill machines.

3865           “(a)(1) On or before the 20th day of each month, each retailer shall:

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3866                   “(A) File a return, on forms and in the manner prescribed by the CFO,  
3867 with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s  
3868 game of skill machines for the preceding calendar month; and

3869                   “(B) Pay to the District of Columbia Treasurer 10% of the gross game of  
3870 skill machine revenue for the preceding month.

3871           “(b) All funds owed to the District under this section shall be held in trust within the  
3872 boundaries of the District for the District by the retailer until the funds are paid to the District of  
3873 Columbia Treasurer.

3874           “(c) A retailer that falsely reports or fails to report the amount due as required by this  
3875 section may be fined or imprisoned in accordance with Title 22 of the District of Columbia  
3876 Official Code and shall have its retailer’s license revoked.

3877           “(d) A retailer shall keep a record of the gross game of skill machine revenue, awards,  
3878 and net income of each game of skill machine in such form as the Office may require.

3879           “(e) A payment required by this section that is not remitted when due shall be assessed a  
3880 late payment penalty in amount set forth in D.C. Official Code § 47-4213.

3881           “(f) In the case of an underpayment of the tax required by this section, there shall be  
3882 added to the tax, an amount of interest determined by applying the underpayment rate set forth in  
3883 D.C. Official Code § 47-4201 to the amount of the underpayment for the period of the  
3884 underpayment.

3885           “Sec. 421. Deposit of license fees.

3886           “All fees collected under sections 406 through 409 shall be deposited in the Lottery,  
3887 Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-601.12).”.

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3888 “Sec. 422. Rules and regulations governing game of skill machines.

3889 “(a) The CFO, pursuant to section 424(d) of the District of Columbia Home Rule Act,  
3890 approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24d), shall issue rules to  
3891 implement the provisions of this title.

3892 “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

3893 “(1) Standards for conducting inspections of game of skill machines for  
3894 compliance with industry standards;

3895 “(2) Standards for inspecting licensed establishments for compliance with this  
3896 title;

3897 “(3) Minimum and maximum payment amounts for playing game of skill  
3898 machines;

3899 “(4) The maximum amount of allowable winnings per game;

3900 “(5) Requirements relating to how fees and taxes are to be remitted;

3901 “(6) The method of accounting to be used by a licensed establishment where a  
3902 game of skill machine is authorized;

3903 “(7) Methods of age verification;

3904 “(8) Types of records that shall be required to be maintained by a licensee;

3905 “(9) Posting requirements;

3906 “(10) Advertising guidelines, including specific language concerning individuals  
3907 under the age of 18;

3908 “(11) Penalties for a violation of this title or rule issued pursuant to this title; and

3909 “(12) Internal control standards for game of skill machines.”.

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3910

3911 Sec. 6023. Title 25 of the District of Columbia Official Code is amended as follows:

3912 (a) Chapter 1 is amended as follows:

3913 (1) Section 25-101 is amended as follows:

3914 (A) A new paragraph (22B) is added to read as follows:

3915 “(22B) “Game of skill machine” has the meaning set forth in section 401(6) of the  
3916 Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable  
3917 Purposes in the District of Columbia, passed on emergency basis on October 6, 2020 (Enrolled  
3918 version of Bill 23-000).”.

3919 (B) A new paragraph (53A) is added to read as follows:

3920 “(53A) “Voucher” means a ticket issued by a game of skill machine that is  
3921 redeemable for cash winnings.”.

3922 (2) Section 25-113a is amended as follows:

3923 (A) The section is redesignated as § 25-113.01.

3924 (B) The section heading is amended to read as follows:

3925 “§ 25-113.01. License endorsements.”.

3926 (C) A new subsection (e) is added to read as follows:

3927 “(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales  
3928 and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,  
3929 D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in  
3930 order to offer a game of skill machine on the licensed premises.

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3931                   “(2)(A) A game of skill machine shall not be placed on outdoor public or private  
3932 space; provided, that the Board, in its discretion, may allow for the placement of a game of skill  
3933 machine on outdoor public or private space if, in the Board’s determination, activity associated  
3934 with the game of skill machine is:

3935                                           “(i) Not visible from a public street or sidewalk;

3936                                           “(ii) Adequately secured against unauthorized entrance; and

3937                                           “(iii) Accessible only by patrons from within the establishment.

3938                                           “(B) Subparagraph (A) of this paragraph shall not apply to a licensee  
3939 operating a passenger-carrying marine vessel in accordance with § 25-113(h).”.

3940                   (b) Section 25-401 is amended by adding a new subsection (e) to read as follows:

3941                   “(e) An applicant for a game of skill machine endorsement shall submit to the Board with  
3942 its application:

3943                                           “(1) A diagram of where the game of skill machines will be placed on the licensed  
3944 premises; and

3945                                           “(2) The name of the manufacturer and distributor of the game of skill machines  
3946 and documentation reflecting that the manufacturer and distributor are licensed to do business  
3947 and pays taxes in the District of Columbia.”.

3948                   (c) Section 25-508 is amended to read as follows:

3949                   “25-508. Minimum fee for permits, and manager’s license, and endorsement.

3950                   “The minimum fees for permits, manager’s license, and endorsement shall be as follows:

3951                                           “Tasting permit for class A licensees                   \$100/year

3952                                           “Importation permit                                           \$5



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3953	“Manager’s license	\$100/year
3954	“On-site sales and consumption permit	\$1,000/year
3955	“Game of skill machine endorsement	\$200”.

3956 (d) Chapter 7 is amended as follows:

3957 (1) The table of contents is amended by adding a new section designation to read  
3958 as follows:

3959 “25-786. Game of skill machine operating requirements.”.

3960 (2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

3961 “(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed  
3962 establishment.”.

3963 (3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

3964 “(c) Advertisements related to game of skill machines shall not be placed on the interior  
3965 or exterior of a window or on the exterior of a door that is used to enter or exit the licensed  
3966 establishment.”.

3967 (4) A new section 25-786 is added to read as follows:

3968 “§ 25-786. Game of skill machine operating requirements.

3969 “A licensee with a game of skill machine endorsement shall:

3970 “(1) Not allow or permit a person under 18 years of age to play a game of skill  
3971 machine and shall designate an employee to regularly monitor the designated area where game of  
3972 skill machines are played to ensure that no person under 18 years of age is playing or attempting  
3973 to play a game of skill machine;

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3974                   “(2) Verify that each person playing a game of skill machine is lawfully permitted  
3975 to do so by checking the person’s government-issued identification document upon entry into  
3976 either the licensed establishment or the designated area where the game of skill machines are  
3977 located and where the person seeks to cash out his or her winnings, if any; except, that the failure  
3978 of a licensee to verify a person’s identification shall not be a violation of this paragraph if the  
3979 person whose identification was not checked is 18 years of age or older;

3980                   “(3) Not allow or permit a person that appears intoxicated or under the influence  
3981 of a narcotic or other substance to play a game of skill machine;

3982                   “(4) Not share revenue from the licensee’s sale of alcohol with a manufacturer or  
3983 distributor of a game of skill machine, unless approved by the Board as an owner of the license;

3984                   “(5) Not allow or permit the placement of a game of skill machine on an outdoor  
3985 public or private space that has not been approved by the Board;

3986                   “(6) Not allow or permit the placement of a game of skill machine outside of the  
3987 designated areas contained on the applicant’s diagram provided as part of the license application  
3988 or outside the areas approved by the Board;

3989                   “(7) Not have more than 5 game of skill machines on the licensed premises; and

3990                   “(8) Install security cameras that are operational and record for 30 days, in the  
3991 areas designated for game of skill machines, near the cash register or terminal where cash  
3992 winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

3993                   (e) Section 25-801 is amended by adding a new subsection (h) to read as follows:

3994                   “(h) An ABRA investigator may request and check the identification of a person who has  
3995 played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may

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3996 seize fake identification used by a person under 18 years of age and may seize such records  
3997 related to a game of skill machine as the investigator deems appropriate to investigate the  
3998 playing of a game of skill machine by a person under 18 years of age.”.

3999           Sec. 6024. Section 865 of An Act To establish a code of law for the District of Columbia,  
4000 approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

4001           (a) The existing text is designated as subsection (a).

4002           (b) A new subsection (b) is added to read as follows:

4003           “(b) It shall be unlawful to install or operate a game of skill machine in the District  
4004 except as permitted by D.C. Official Code § 25-113.01(e). Whoever shall install or operate a  
4005 game of skill machine at a location not licensed under Title 25 of the District of Columbia  
4006 Official Code shall be punished by imprisonment for a term of 180 days or fined not more than  
4007 the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of  
4008 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.”.

4009

4010           **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

4011           Sec. 6031. Short title.

4012           This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Congressional  
4013 Review Emergency Amendment Act of 2020”.

4014           Sec. 6032. Section 9f of the Department of Transportation Establishment Act of 2002,  
4015 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to  
4016 read as follows:

4017           “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

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4018           “(a) There is established the Parking Meter and Transit Services Pay-by-Phone  
4019 Transaction Fee Fund (“Fund”), which shall be administered by the director of the District  
4020 Department of Transportation in accordance with subsection (c) of this section.

4021           “(b) The following revenue shall be deposited in the Fund:

4022                   “(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle  
4023 Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–  
4024 2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital  
4025 Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-  
4026 phone system; and

4027                   “(2) All money remaining in the District Department of Transportation Parking  
4028 Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

4029           “(c) Money in the Fund shall be used to pay vendors responsible for administering pay-  
4030 by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of  
4031 shared mobility and transportation services.

4032           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
4033 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4034 of a fiscal year, or at any other time.

4035                   “(2) Subject to authorization in an approved budget and financial plan, any funds  
4036 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4037           Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility  
4038 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)),  
4039 is amended by striking the phrase “to be transferred to the District Department of Transportation

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4040 Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance  
4041 with section 9f of the Department of Transportation Establishment Act of 2002, effective  
4042 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)” and inserting the  
4043 phrase “to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction  
4044 Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act  
4045 of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and  
4046 the DC Circulator Fund, in accordance with section 11c of the Department of Transportation  
4047 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-  
4048 921.33)” in its place.

4049 **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

4050 **ACCOUNTS**

4051 Sec. 6041. Short title.

4052 This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment  
4053 Congressional Review Emergency Amendment Act of 2020”.

4054  
4055 Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective  
4056 March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by  
4057 adding a new section 10a to read as follows:

4058 “Sec. 10a. Lead Poisoning Prevention Fund.

4059 “(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”),  
4060 which shall be administered by the Department of Energy and Environment in accordance with  
4061 subsection (c) of this section.

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4062           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
4063 act, and all interest earned on those monies, shall be deposited into the Fund.

4064           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
4065 may be used to provide low-income residents of the District with assistance to comply with the  
4066 requirements of section 4, in accordance with rules issued by the Mayor.

4067           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
4068 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4069 of a fiscal year, or at any other time.

4070           “(2) Subject to authorization in an approved budget and financial plan, any funds  
4071 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4072           Sec. 6043. The District of Columbia Underground Storage Tank Management Act of  
4073 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is  
4074 amended by adding a new section 6a to read as follows:

4075           “Sec. 6a. Underground Storage Tank Regulation Fund.

4076           “(a) There is established as a special fund the Underground Storage  
4077 Tank Regulation Fund (“Fund”), which shall be administered by the Department of Energy and  
4078 Environment in accordance with subsection (c) of this section.

4079           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
4080 act, and contributions and monies received as reimbursement, and all interest earned on those  
4081 monies, shall be deposited into the Fund.

4082           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
4083 may be used for assessment, clean up, and housing and relocation assistance.

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4084           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
4085 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4086 of a fiscal year, or at any other time.

4087           “(2) Subject to authorization in an approved budget and financial plan, any funds  
4088 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4089           Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,  
4090 effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is amended by  
4091 adding a new section 21a to read as follows:

4092           “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

4093           “(a) There is established as a special fund the Hazardous Waste and Toxic Chemical  
4094 Source Reduction Fund (“Fund”), which shall be administered by the Department of Energy and  
4095 Environment in accordance with subsection (c) of this section.

4096           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
4097 act, and all interest earned on those monies, shall be deposited into the Fund.

4098           “(c) Money in the Fund shall be used to pay for the costs of implementing this act.

4099           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
4100 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4101 of a fiscal year, or at any other time.

4102           “(2) Subject to authorization in an approved budget and financial plan, any funds  
4103 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4104           **SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

4105           Sec. 6051. Short title.

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4106 This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Congressional  
4107 Review Emergency Amendment Act of 2020”.

4108 Sec. 6052. Title 25 of the District of Columbia Official Code is amended as follows:

4109 (a) Chapter 1 is amended as follows:

4110 (1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

4111 “(h)(1) A retailer with commercial street frontage at the Walter E. Washington  
4112 Convention Center that sells food and is approved by the Washington Convention and Sports  
4113 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food  
4114 and alcohol business”) that registers as a Convention Center food and alcohol business with the  
4115 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
4116 containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers  
4117 to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113.01(g); provided, that  
4118 such carry out and delivery orders are accompanied by one or more prepared food items.

4119 “(2) Board approval shall not be required for a registration under this subsection  
4120 that occurs before April 1, 2021.

4121 “(3) After March 31, 2021, a Convention Center food and alcohol business that  
4122 does not hold a valid registration under this subparagraph shall be required to obtain a carry out  
4123 and delivery license as set forth in § 25-113.01(g) to sell beer, wine, or spirits in closed  
4124 containers to customers to carry out and to sell and deliver to the homes of District residents  
4125 beer, wine, or spirits in closed containers for delivery .

4126 “(4) A Convention Center food and alcohol business that has been authorized to  
4127 offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this



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4128 subsection may only offer alcoholic beverages for carry out and delivery between the hours of  
4129 6:00 a.m. and 1:00 a.m., 7 days a week.”.

4130 (2) Section 25-113(a)(3)(C) is amended to read as follows:

4131 “(C)(i) An on-premises retailer licensee, class C/R, D/R, C/T, D/T, C/H,  
4132 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with  
4133 the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
4134 containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to  
4135 consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided,  
4136 that each such carry out or delivery order is accompanied by one or more prepared food items.

4137 “(ii) Board approval shall not be required for a registration under  
4138 this subparagraph that occurs prior to April 1, 2021. After March 31, 2021, an on-premises  
4139 retailer that does not hold a valid registration under this subparagraph shall be required to obtain  
4140 a carry out and delivery endorsement as set forth in § 25-113.01(f) in order to sell for carry out  
4141 and deliver alcoholic beverages.”.

4142 (3) Newly designated section 25-113.01 is amended by adding new subsections  
4143 (f) and (g) to read as follows:

4144 “(f)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class  
4145 C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or  
4146 private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to  
4147 sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine,  
4148 or spirits in closed containers to consumers in the District.

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4149                   “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
4150 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

4151                   “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
4152 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

4153                   “(4) The annual fee for a carry out and delivery endorsement shall be established  
4154 by the Board in an amount not less than \$200.

4155                   “(5) An on-premises retailer licensee that has registered with the Board under §  
4156 25-113(a)(3)(C) before April 1, 2021 (“registered licensee”), shall not be required to apply with  
4157 the Board for an endorsement under this subsection, and the registered licensee shall be granted  
4158 the carry out and delivery endorsement upon request to the Board, if the registered licensee  
4159 makes the request and pays the annual fee required by paragraph (4) of this subsection by March  
4160 31, 2021.

4161                   “(g)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has  
4162 registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from  
4163 the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry  
4164 out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

4165                   “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
4166 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

4167                   “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
4168 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

4169                   “(4) The annual fee for a carry out and delivery license shall be established by the  
4170 Board in an amount not less than \$200.

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4171                   “(5) A Convention Center food and alcohol business that has registered with the  
4172 Board under § 25-112(h) before April 1, 2021 (“registered Convention Center food and alcohol  
4173 business”), shall not be required to apply with the Board for a license under this subsection, and  
4174 the registered Convention Center food and alcohol business shall be granted a carry out and  
4175 delivery license upon request to the Board, if the registered Convention Center food and alcohol  
4176 business makes the request and pays the annual fee required by paragraph (4) of this subsection  
4177 by March 31, 2021.

4178                   “(6) Beginning June 30, 2022, and each year thereafter, ABRA shall submit an  
4179 annual report to the Council on the outcomes of this section, including the number of on-premise  
4180 licensees participating in the carry-out and delivery option, and the number of on- and off-  
4181 premise retailer licensees that may have closed after the carry-out and delivery option was  
4182 implemented”.

4183                   (b) Chapter 7 is amended as follows:

4184                   (1) Section 25-721 is amended as follows:

4185                   (A) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and  
4186 12:00 a.m.” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4187                   (B) Subsection (c) is amended as follows:

4188                   (i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and  
4189 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4190                   (ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and  
4191 8:00 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

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4192 (C) Subsection (d) is amended by striking the phrase “7:00 a.m. and  
4193 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4194 (2) Section 25-722 is amended as follows:

4195 (A) Subsection (a) is amended by striking the phrase “7:00 a.m. and  
4196 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4197 (B) Subsection (b) is amended by striking the phrase “7:00 a.m. and  
4198 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4199 (3) Section 25-723 is amended as follows:

4200 (A) Subsection (b) is amended as follows:

4201 (i) Paragraph (1) is amended by striking the phrase “2:00 a.m. and  
4202 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4203 (ii) Paragraph (2) is amended by striking the phrase “3:00 a.m. and  
4204 8:00 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

4205 (B) Subsection (c)(1) is amended as follows:

4206 (i) Subparagraph (C) is amended by striking the phrase “; and” and  
4207 inserting a semicolon in its place.

4208 (ii) Subparagraph (D) is amended by striking the period and  
4209 inserting the phrase “; and” in its place.

4210 (iii) A new subparagraph (E) is added to read as follows:

4211 “(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day,  
4212 and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the  
4213 holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the

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4214 preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday  
4215 or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

4216 (C) Subsection (e)(1) is amended by striking the phrase “2017, January 14  
4217 through January 22” and inserting the phrase “2021, January 9 through January 24” in its place.

4218 Sec. 6053. Repealer.

4219 (a) Section 204(a)(1) of the Coronavirus Support Temporary Amendment Act of 2020,  
4220 enacted on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

4221 (b) Amendatory section 25-113(a)(3)(C) of the District of Columbia Official Code in  
4222 section 204(a)(2)(A) of the Coronavirus Support Temporary Amendment Act of 2020, enacted  
4223 on July 7, 2020 (D.C. Act 23-334; 67 DCR 8622), is repealed.

4224 **SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM**

4225 Sec. 6061. Short title.

4226 This subtitle may be cited as the “Third-Party Inspection Platform Congressional Review  
4227 Emergency Amendment Act of 2020”.

4228 Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986,  
4229 effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by  
4230 adding a new subsection (f) to read as follows:

4231 “(f) The Department may establish an online platform that may, at the Director’s  
4232 discretion, serve as the exclusive mechanism by which an individual or entity may hire a third-  
4233 party inspector to perform an inspection authorized by this section. The Department may charge  
4234 a fee for the use of the online platform by an individual or entity and by the third-party  
4235 inspectors.”.

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4236           **SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT**

4237           Sec. 6071. Short title.

4238           This subtitle may be cited as the “Reciprocity Parking Fee Update Congressional Review  
4239 Emergency Amendment Act of 2020”.

4240           Sec. 6072. Section 8(d) of the District of Columbia Traffic Act, 1925, approved March 3,  
4241 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by striking the figure  
4242 “\$50” and inserting the figure “\$100” in its place.

4243           **SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT**

4244           Sec. 6081. Short title.

4245           This subtitle may be cited as the “Tag Transfer Fee Update Congressional Review  
4246 Emergency Amendment Act of 2020”.

4247

4248           Sec. 6082. Section 2(e) of the District of Columbia Revenue Act of 1937, approved  
4249 August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as follows:

4250           (a) Paragraph (2) is amended by striking the figure “\$7” and inserting the figure “\$12” in  
4251 its place.

4252           (b) Paragraph (5) is amended by striking the figure “\$7” and inserting the figure “\$12” in  
4253 its place.

4254           **SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT**

4255           Sec. 6091. Short title.

4256           This subtitle may be cited as the “ATE Reporting Requirement Congressional Review  
4257 Emergency Amendment Act of 2020”.

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4258           Sec. 6092. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April  
4259 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding  
4260 a new section 905 to read as follows:

4261           “Sec. 905. ATE Reporting to Council.

4262           “Beginning January 1, 2021, the District Department of Transportation, in consultation  
4263 with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the  
4264 following information:

4265                   “(1) The top 15 automated traffic enforcement (“ATE”) locations by value of  
4266 citations generated in the District;

4267                   “(2) The breakdown of the jurisdictions where those receiving ATE citations and  
4268 with outstanding ATE citation debt have their vehicles registered;

4269                   “(3) The locations where cameras have been added in the last 6 months and the  
4270 reasons why those locations were chosen; and

4271                   “(4) The amount of ATE citations issued in total and by location.”.

4272           **SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY**

4273           Sec. 6101. Short title.

4274           This subtitle may be cited as the “Capacity Market Withdrawal Feasibility Study  
4275 Congressional Review Emergency Act of 2020”.

4276           Sec. 6102. Feasibility study.

4277           By July 1, 2021, the Department of Energy and Environment shall make publicly  
4278 available a study that evaluates and makes recommendations regarding the District withdrawing  
4279 from the PJM capacity market, including outlining the potential advantages and disadvantages of

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4280 withdrawal, the anticipated effects of *Calpine Corp. v. PJM Interconnection, L.L.C.*, 169  
4281 FERC ¶ 61,239 (2019) on the District, and the procedure for withdrawal from the PJM capacity  
4282 market, including any necessary legislative changes.

4283 **SUBTITLE L. COMPETITIVE GRANT**

4284 Sec. 6111. Short title.

4285 This subtitle may be cited as the “Competitive Grant Congressional Review Emergency  
4286 Act of 2020”.

4287 Sec. 6112. The Department of Energy and Environment shall award an annual grant on a  
4288 competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation  
4289 services.

4290

4291 **SUBTITLE M. URBAN AGRICULTURE FUNDING**

4292 Sec. 6121. Short title.

4293 This subtitle may be cited as the “Urban Agriculture Funding Congressional Review  
4294 Emergency Amendment Act of 2020”.

4295 Sec. 6122. The Food Production and Urban Gardens Program Act of 1986, effective  
4296 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as  
4297 follows:

4298 (a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by striking the  
4299 phrase “base period of 5 years” and inserting the phrase “base period of at least 5 years” in its  
4300 place.

4301 (b) Section 3b (D.C. Official Code § 48-402.02) is amended to read as follows:



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4302 “Sec. 3b. Limitations on expenditures.

4303 “Total real property tax abatements provided for certain urban farms established pursuant  
4304 to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C. Official Code § 47-  
4305 1005(c) shall not exceed \$150,000 each year.”.

4306 Sec. 6123. Section 47-1005(c) of the District of Columbia Official Code is amended by  
4307 striking the phrase “Department of General Services” and inserting the phrase “Department of  
4308 Energy and Environment” in its place.

4309 **SUBTITLE N. WASTE DISPOSAL FEES**

4310 Sec. 6131. Short title.

4311 This subtitle may be cited as the “Waste Disposal Fees Regulation Congressional Review  
4312 Emergency Amendment Act of 2020”.

4313 Sec. 6132. Section 720.8 of Title 21 of the District of Columbia Municipal Regulations  
4314 (21 DCMR § 720.8) is amended to read as follows:

4315 “720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each ton of  
4316 solid waste at the waste-handling facilities, excluding those wastes specified in §§ 720.5, 720.6,  
4317 and 720.7, shall be seventy dollars and sixty-two cents (\$70.62) for each ton disposed; provided,  
4318 that a minimum fee of thirty five dollars and thirty-one cents (\$35.31) shall be imposed on each  
4319 load weighing one thousand pounds (1,000 lb.) or less.”.

4320 **SUBTITLE O. FAST FERRY GRANT**

4321 Sec. 6141. Short title.

4322 This subtitle may be cited as the “Fast Ferry Grant Congressional Review  
4323 Emergency Act of 2020”.

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4324           Sec. 6142. (a) In Fiscal Year 2021, the District Department of Transportation (“DDOT”)  
4325 shall award a grant of not less than \$250,000 to a regional transportation system supporting  
4326 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and  
4327 Anacostia River system.

4328           (b) A grant awarded pursuant to this section shall be in addition to any other grant  
4329 awarded by DDOT for fast ferry service.

4330   **TITLE VII. FINANCE AND REVENUE**

4331           **SUBTITLE A. PERSONAL PROPERTY TAX**

4332           Sec. 7001. Short title.

4333           This subtitle may be cited as the “Personal Property Tax Congressional Review  
4334 Emergency Amendment Act of 2020”.

4335

4336           Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

4337           (a) Section 47-1508(a) is amended by adding a new paragraph (13) to read as follows:

4338                   “(13)(A) Computer software, unless:

4339                                   “(i) The software is incorporated as a permanent component of a  
4340 computer, machine, piece of equipment, or device, or of real property, and the software is not  
4341 commonly available separately; or

4342                                   “(ii) The cost of the software is included as part of the cost of a  
4343 computer, machine, piece of equipment, or device, or of the cost of real property on the books or  
4344 records of the taxpayer.

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4345                   “(B) This paragraph shall not be construed to affect the value of a  
4346 machine, device, piece of equipment, or computer, or the value of real property, or to affect the  
4347 taxable status of any other property subject to tax under this title.”.

4348           (b) Section 47-1521 is amended as follows:

4349                   (1) Paragraph (1) is redesignated as paragraph (1A).

4350                   (2) A new paragraph (1) is added to read as follows:

4351                   “(1) “Computer software” means a set of statements or instructions that when  
4352 incorporated in a machine-usable medium is capable of causing a machine or device having  
4353 information processing capabilities to indicate, perform, or achieve a particular function, task, or  
4354 result.”.

4355                   (3) Paragraph (4) is amended by striking the phrase “goods and chattels” and  
4356 inserting the phrase “goods and chattels, including computer software,” in its place.

4357

4358           Sec. 7003. Applicability.

4359           This subtitle shall apply as of July 1, 2021.

4360           **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

4361           Sec. 7011. Short title.

4362           This subtitle may be cited as the “Unincorporated Business Franchise Tax Congressional  
4363 Review Emergency Amendment Act of 2020”.

4364           Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended  
4365 by striking the phrase “Internal Revenue Code of 1986.” and inserting the phrase “Internal  
4366 Revenue Code of 1986. Taxable income shall include gain from the sale or other disposition of

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4367 any assets, including tangible assets and intangible assets, including real property and interests in  
4368 real property, in the District, even when such a sale or other disposition results in the termination  
4369 of an unincorporated business.” in its place.

4370 Sec. 7013. Applicability.

4371 This subtitle shall apply as of January 1, 2021.

4372 **SUBTITLE C. BALLPARK REVENUE FUND**

4373 Sec. 7021. Short title.

4374 This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Congressional  
4375 Review Emergency Amendment Act of 2020”.

4376 Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,  
4377 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by  
4378 striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that  
4379 any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be  
4380 deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it  
4381 accrues.” in its place.

4382 **SUBTITLE D. EVENTS DC AUTHORITY**

4383 Sec. 7031. Short title.

4384 This subtitle may be cited as the “Events DC Authority Congressional Review  
4385 Emergency Amendment Act of 2020”.

4386 Sec. 7032. Title II of the Washington Convention Center Authority Act of 1994, effective  
4387 September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as  
4388 follows:

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4389 (a) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

4390 (1) Paragraph (10K) is amended by striking the period and inserting a semicolon  
4391 in its place.

4392 (2) A new paragraph (10L) is added to read as follows:

4393 “(10L) To issue grants pursuant to section 208(h) to support go-go music in the  
4394 District of Columbia.”.

4395 (b) Section 204(m) (D.C. Official Code § 10-1202.04(m)), is amended by striking the  
4396 phrase “Fiscal Year 2019 or Fiscal Year 2020” and inserting the phrase “Fiscal Year 2020 or  
4397 Fiscal Year 2021” in its place.

4398 (c) Section 208 (D.C. Official Code § 10-1202.08) is amended by adding a new  
4399 subsection (h) to read as follows:

4400 “(h) For Fiscal Year 2021, the Authority shall issue not less than \$1 million in grants  
4401 from the Convention Center Fund to support go-go related programming, branding, tourism, and  
4402 marketing; provided, that funds are available for such purpose and that the Authority first satisfy  
4403 its current liabilities and legally required reserves, which shall not include the elective purchase  
4404 or redemption of outstanding indebtedness, unless such purchase or redemption is for the  
4405 purpose of securing a lower cost of borrowing and lower debt service payments.”.

4406 **SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS**

4407 **TAX ABATEMENT**

4408 Sec. 7041. Short title.

4409 This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments  
4410 Tax Abatement Congressional Review Emergency Amendment Act of 2020”.

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4411 Sec. 7042. Section 47-4658 of the District of Columbia Official Code is amended as

4412 follows:

4413 (a) Subsection (b) is amended by striking the number “2020” and inserting the number  
4414 “2022” in its place.

4415 (b) Subsection (c) is amended by striking the number “2020” and inserting the number  
4416 “2022” in its place.

4417 **SUBTITLE F. OFF-PREMISES ALCOHOL TAX RATE**

4418 Sec. 7051. Short title.

4419 This subtitle may be cited as the “Off-Premises Alcohol Tax Rate Congressional Review  
4420 Emergency Amendment Act of 2020”.

4421

4422 Sec. 7052. Section 47-2002(a) of the District of Columbia Official Code is amended as

4423 follows:

4424 (a) Paragraph (3)(A) is amended by striking the phrase “defined in § 47-2001(g-1)” and  
4425 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold  
4426 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or  
4427 25-113.01(f) or (g)” in its place.

4428 (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the  
4429 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§  
4430 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)” in its place.

4431 Sec. 7053. Section 47-2202(a) of the District of Columbia Official Code is amended as

4432 follows:

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4433 (a) Paragraph (3)(A) is amended by striking the phrase “defined in § 47-2001(g-1)” and  
4434 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold  
4435 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or  
4436 25-113.01(f) or (g)” in its place.

4437 (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the  
4438 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§  
4439 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(f) or (g)” in its place.

4440 **SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND**  
4441 **MODIFICATIONS**

4442 Sec. 7061. Short title.

4443 This subtitle may be cited as the “Subject-to-Appropriations Repeals and Modifications  
4444 Congressional Review Emergency Amendment Act of 2020”.

4445 Sec. 7062. Section 3 of the DC HealthCare Alliance Recertification Simplification  
4446 Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is  
4447 repealed.

4448 Sec. 7063. Section 3 of the East End Certificate of Need Maximum Fee Establishment  
4449 Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-176; 65 DCR 9552), is  
4450 repealed.

4451 Sec. 7064. Section 301(a) of the Birth-to-Three for All DC Amendment Act of 2018,  
4452 effective October 30, 2018 (D.C. Law 22-179; 65 DCR 9569), is amended by striking the phrase  
4453 “107(b),” and inserting the phrase “107,” in its place.

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4454           Sec. 7065. Section 8 of the Tipped Wage Workers Fairness Amendment Act of 2018,  
4455 effective December 13, 2018 (D.C. Law 22-196; 65 DCR 12049), is repealed.

4456           Sec. 7066. The Ensuring Community Access to Recreational Spaces Act of 2018,  
4457 effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-431 *et seq.*), is amended  
4458 as follows:

4459           (a) Section 4(b) (D.C. Official Code § 38-433(b)) is amended by striking the phrase  
4460 “Within 180 days after February 22, 2019, the Mayor” and inserting the phrase “The Mayor” in  
4461 its place.

4462           (b) A new section 7a is added to read as follows:

4463           “Sec. 7a. Applicability.

4464           “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved  
4465 budget and financial plan.

4466           “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4467 in an approved budget and financial plan, and provide notice to the Budget Director of the  
4468 Council of the certification.

4469           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4470 the District of Columbia Register.

4471           “(2) The date of publication of the notice of the certification shall not affect the  
4472 applicability of section 4.”.

4473           Sec. 7067. Section 3 of the Boxing and Wrestling Commission Amendment Act of 2018,  
4474 effective February 22, 2019 (D.C. Law 22-228; 66 DCR 200), is repealed.



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4475           Sec. 7068. The Senior Strategic Plan Amendment Act of 2018, effective March 28, 2019  
4476 (D.C. Law 22-267; 66 DCR 1428), is amended by adding a new section 3a to read as follows:

4477           “Sec. 3a. Applicability.

4478           “(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved  
4479 budget and financial plan.

4480           “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4481 in an approved budget and financial plan, and provide notice to the Budget Director of the  
4482 Council of the certification.

4483           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4484 the District of Columbia Register.

4485           “(2) The date of publication of the notice of the certification shall not affect the  
4486 applicability of this act.”.

4487           Sec. 7069. Section 5 of the Public Restroom Facilities Installation and Promotion Act of  
4488 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

4489           “Sec. 5. Applicability.

4490           “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved  
4491 budget and financial plan.

4492           “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4493 in an approved budget and financial plan and provide notice to the Budget Director of the  
4494 Council of the certification.

4495           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4496 the District of Columbia Register.

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4497                   “(2) The date of publication of the notice of the certification shall not affect the  
4498 applicability of section 4.”.

4499                   Sec. 7070. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective  
4500 May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.

4501                   Sec. 7071. Section 4 of the Mypheduh Films DBA Sankofa Video and Books Real  
4502 Property Tax Exemption Act of 2019, effective September 11, 2019 (D.C. Law 23-24; 66 DCR  
4503 9759), is repealed.

4504                   Sec. 7072. Section 3 of the Certificate of Need Fee Reduction Amendment Act of 2019,  
4505 effective March 10, 2020 (D.C. Law 23-60; 67 DCR 568), is repealed.

4506  
4507                   Sec. 7073. Section 3 of the Electronic Medical Order for Scope of Treatment Registry  
4508 Amendment Act of 2019, effective March 10, 2020 (D.C. Law 23-62; 67 DCR 574), is repealed.

4509                   Sec. 7074. Section 5 of the Housing Conversion and Eviction Clarification Amendment  
4510 Act of 2020, effective April 16, 2020 (D.C. Law 23-72; 67 DCR 2476), is repealed.

4511                   Sec. 7075. Section 5 of the Urban Farming Land Lease Amendment Act of 2020,  
4512 effective April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.

4513                   Sec. 7076. Section 4 of the Office on Caribbean Affairs Establishment Act of 2020,  
4514 effective May 6, 2020 (D.C. Law 23-87; 67 DCR 3534), is repealed.

4515                   Sec. 7077. Section 3 of the Strengthening Reproductive Health Protections Amendment  
4516 Act of 2020, effective May 6, 2020 (D.C. Law 23-90; 67 DCR 3537), is repealed.

4517                   Sec. 7078. Section 6 of the Certified Professional Midwife Amendment Act of 2020,  
4518 effective June 17, 2020, (D.C. Law 23-97; 67 DCR 3912), is repealed.

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4519           Sec. 7079. Section 3 of the Leave to Vote Amendment Act of 2020, effective June 24,  
4520 2020 (D.C. Law 23-110; 67 DCR 5057), is repealed.

4521           Sec. 7080. Section 3 of the Transportation Benefits Equity Amendment Act of 2020,  
4522 effective June 24, 2020 (D.C. Law 23-113; 67 DCR 5069), is repealed.

4523           Sec. 7081. Section 3 of the Professional Art Therapist Licensure Amendment Act of  
4524 2020, effective June 24, 2020, (D.C. Law 23-115; 67 DCR 5077), is repealed.

4525           Sec. 7082. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020, effective  
4526 August 6, 2020 (D.C. Law 23-126; 67 DCR 5060), is repealed.

4527

4528           **SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS**

4529           Sec. 7091. Short title.

4530           This subtitle may be cited as the “Council Period 23 Rule 736 and Other Repeals  
4531 Congressional Review Emergency Amendment Act of 2020”.

4532           Sec. 7092. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective  
4533 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.

4534           Sec. 7093. The Health Care Provider Facility Expansion Program Establishment Act of  
4535 2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 *et seq.*), is  
4536 repealed.

4537           Sec. 7094. Section 202 of the Ballpark Omnibus Financing and Revenue Act of 2004,  
4538 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1602.02), is repealed.

4539           Sec. 7095. The School Health Innovations Grant Program Amendment Act of 2018,  
4540 effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 *et seq.*), is repealed.

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4541           Sec. 7096. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of  
4542 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is  
4543 repealed.

4544           Sec. 7097. Sections 103 and 105(c) of the Employee Transportation Amendment Act of  
4545 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code §§ 50-211.03 and 50-  
4546 211.05(c)), are repealed.

4547           Sec. 7099. The Exhaust Emissions Inspection Amendment Act of 2017, effective January  
4548 25, 2018 (D.C. Law 22-47; 64 DCR 12403) is repealed.

4549

4550           Sec. 7100. The DC Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017,  
4551 effective February 17, 2018 (D.C. Law 22-62; 65 DCR 9), is repealed.

4552           Sec. 7101. The Ballpark Fee Forgiveness Act of 2017, effective February 28, 2018 (D.C.  
4553 Law 22-64; 65 DCR 328), is repealed.

4554           Sec. 7102. Section 2(nn) and (oo) of the Homeless Services Reform Amendment Act of  
4555 2017, effective February 28, 2018 (D.C. Law 22-65; 65 DCR 331), is repealed.

4556           Sec. 7103. The East End Commercial Real Property Tax Rate Reduction Amendment Act  
4557 of 2018, effective March 29, 2018 (D.C. Law 22-81; 65 DCR 1582), is repealed.

4558           Sec. 7104. The Relieve High Unemployment Tax Incentives Act of 2018, effective April  
4559 25, 2018 (D.C. Law 22-85; 65 DCR 1805), is repealed.

4560           Sec. 7105. The Telehealth Medicaid Expansion Amendment Act of 2018, effective July  
4561 3, 2018 (D.C. Law 22-126; 65 DCR 5110), is repealed.

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4562           Sec. 7106. The Expenditure Commission Establishment Act of 2019, effective September  
4563 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

4564           **SUBTITLE I. DISTRICT HISTORY GRANT**

4565           Sec. 7111. Short title.

4566           This subtitle may be cited as the “District History Grant Congressional Review  
4567 Emergency Act of 2020”.

4568           Sec. 7112. (a) The Washington Convention and Sports Authority (“Events DC”)  
4569 shall award a grant to a nonprofit organization occupying space in the Carnegie Library  
4570 building that is engaged in collecting, interpreting, and sharing the history of the District.

4571           (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,  
4572 \$100,000 shall be transferred to Events DC to use for the grant authorized by subsection  
4573 (a) of this section.

4574           (c) A grant awarded pursuant to this section shall be in addition to any other grant  
4575 awarded by Events DC in support of historical education and research.

4576           **SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**  
4577 **MATCH**

4578           Sec. 7121. Short title.

4579           This subtitle may be cited as the “National Cherry Blossom Festival Fundraising  
4580 Match Congressional Review Emergency Act of 2020”.

4581           Sec. 7122. National Cherry Blossom Festival Fundraising.

4582           (a) There is established a matching grant program to support the 2021 National  
4583 Cherry Blossom Festival (“Program”), which shall be administered by the Washington

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4584 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant  
4585 shall be awarded to a nonprofit organization that organizes and produces an event or  
4586 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)  
4587 of up to \$1,000,000 at a rate of \$2 for every dollar that the organization has raised in  
4588 donations by April 30, 2021.

4589 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,  
4590 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by  
4591 subsection (a) of this section.

4592 (c) A grant awarded pursuant to this section shall be in addition to any other grant  
4593 awarded by Events DC in support of the Festival.

4594 **SUBTITLE K. MOTOR VEHICLE FUEL TAX**

4595 Sec. 7131. Short Title.

4596 This subtitle may be cited as the “Motor Vehicle Fuel Tax Congressional Review  
4597 Emergency Amendment Act of 2020”.

4598 Sec. 7132. Chapter 23 of Title 47 of the District of Columbia Official Code is amended as  
4599 follows:

4600 (a) Section 47-2301 is amended as follows:

4601 (1) Subsection (a) is amended by adding a new paragraph (4) to read as follows:

4602 “(4) This subsection shall not apply after September 30, 2020.”.

4603 (2) A new subsection (a-1) is added to read as follows:

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4604           “(a-1)(1) The District shall levy and collect a tax and a local transportation surcharge  
4605 (“surcharge”) on motor vehicle fuels sold or otherwise disposed of by an importer or by a user,  
4606 or used for commercial purposes.

4607           “(2) As of October 1, 2020:

4608                       “(A) The rate of tax shall be \$.235 per gallon; and

4609                       “(B) The surcharge shall be \$.053 per gallon;

4610           “(3) As of October 1, 2021, the surcharge shall be \$.103 per gallon, increased  
4611 annually, beginning with the fiscal year commencing on October 1, 2022, by the cost-of-living  
4612 adjustment.”.

4613           (3) Subsection (c) is amended to read as follows:

4614           “(c) The Chief Financial Officer of the District of Columbia shall:

4615                       “(1) Transfer annually to the District of Columbia Highway Trust Fund the  
4616 proceeds of the taxes imposed under subsection (a) and (a-1) of this section; and

4617                       “(2) Transfer to the Capital Improvements Program the revenue derived from the  
4618 surcharge under subsection (a-1) to fund the renovation, repair, and maintenance of local  
4619 transportation infrastructure.”.

4620           (b) Section 47-2302 is amended by adding a new paragraph (24) to read as follows:

4621                       “(24)(A) “Cost-of-living adjustment” means the ratio of CPI for the preceding  
4622 calendar year and the CPI for the base year.

4623                       “(B) For the purposes of this paragraph, the term:

4624                               “(i) “Base year” means the calendar year ending December 31,  
4625 2020.

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4626                                   “(ii) "CPI" means the average of the Consumer Price Index for All  
4627 Urban Consumers for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan  
4628 Statistical Area (or such successor metropolitan statistical area that includes the District) for the  
4629 preceding calendar year.”.

4630                   Sec. 7133. Section 102a of the Highway Trust Fund Establishment Act of 1996, effective  
4631 October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a), is amended by adding a new  
4632 subsection (c) to read as follows:

4633                   “(c) Revenue derived from the local transportation surcharge on motor vehicle fuels sold  
4634 or otherwise disposed of by an importer or by a user, or used for commercial purposes, pursuant  
4635 to D.C. Official Code § 47-2301(a-1), shall be transferred to the Capital Improvements Program  
4636 to fund the renovation, repair, and maintenance of local transportation infrastructure.”.

4637                   **SUBTITLE L. NEW COMMUNITIES CLARIFICATION**

4638                   Sec. 7141. Short title.

4639                   This subtitle may be cited as the “New Communities Bond Clarification Congressional  
4640 Review Emergency Amendment Act of 2020”.

4641                   Sec. 7142. Section 203(b) of the Housing Production Trust Fund Act of 1988, effective  
4642 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.03(b)), is amended to read as  
4643 follows:

4644                   “(b)(1) The bonds, which may be issued from time to time, in one or more series, shall be  
4645 tax-exempt or taxable as the Mayor shall determine.

4646                   “(2) The total amount of funds allocated annually from the Housing Production  
4647 Trust Fund to pay debt service on the bonds shall not exceed \$16 million.”.



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4648           **SUBTITLE M. QHTC TAX INCENTIVES MODIFICATION**

4649           Sec. 7151. Short Title.

4650           This subtitle may be cited as the “QHTC Tax Incentives Modification Congressional  
4651 Review Emergency Amendment Act of 2020”.

4652           Sec. 7152. Title 47 of the District of Columbia Official Code is amended as follows:

4653           (a) Section 47-1508(a)(10) is repealed.

4654           (b) Chapter 18 is amended as follows:

4655                   (1) Section 47-1803.03(a)(18) is amended as follows:

4656                           (A) Subparagraph (A) is amended by striking the phrase “the lesser of  
4657 \$25,000 (or \$40,000 in the case of a Qualified High Technology Company (“QHTC”))” and  
4658 inserting the phrase “the lesser of \$25,000” in its place.

4659                           (B) Subparagraph (B) is repealed.

4660                   (2) Section 47-1817.01(5)(A)(ii) is amended by striking the number “2” and  
4661 inserting the number “10” in its place.

4662                   (3) Section 47-1817.02 is repealed.

4663                   (4) Section 47-1817.03 is amended as follows:

4664                           (A) Subsection (a) is amended by striking the phrase “imposed by § 47-  
4665 1817.06” and inserting the phrase “imposed by § 47-1807.02” in its place.

4666                           (B) Subsection (a-1) is amended by striking the phrase “imposed by § 47-  
4667 1817.06” and inserting the phrase “imposed by § 47-1807.02” in its place.

4668                   (5) Section 47-1817.04 is amended as follows:

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4669 (A) Subsection (d) is amended by striking the figure “\$20,000” and  
4670 inserting the figure “\$10,000” in its place.

4671 (B) Subsection (e) is repealed.

4672 (6) Section 47-1817.05(c) is repealed.

4673 (7) Section 47-1817.06 is repealed.

4674 (8) Section 47-1817.07 is repealed.

4675 (9) Section 47-1817.07a is amended by striking the phrase “For tax years  
4676 beginning after December 31, 2018, notwithstanding” and inserting the phrase “For the tax year  
4677 beginning after December 31, 2018 and ending before January 1, 2020, and for tax years  
4678 beginning after December 31, 2024, notwithstanding” in its place.

4679 (10) Section 47-1818.06(3) is repealed.

4680 Sec. 7153. Applicability.

4681 This subtitle shall apply as of the effective date of this act, except that section 7152(a)  
4682 shall apply as of July 1, 2021.

4683 **SUBTITLE N. ADAMS MORGAN BID**

4684 Sec. 7161. Short title.

4685 This subtitle may be cited as the “Adams Morgan Business Improvement District  
4686 Congressional Review Emergency Amendment Act of 2020”.

4687 Sec. 7162. Section 206(c) of the Business Improvement District Act of 1996, effective  
4688 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as  
4689 follows:

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4690           “(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed  
4691 \$.21 for each \$100 in assessed value for all taxable properties and all commercial portions of  
4692 mixed use properties; provided, that any change in the BID taxes from the current tax year rates  
4693 shall be made subject to the requirements of section 9.”.

4694           **SUBTITLE O. SKYLAND TAX EXEMPTION**

4695           Sec. 7171. This subtitle may be cited as the “Skyland Tax Exemption Congressional  
4696 Review Emergency Amendment Act of 2020”.

4697           Sec. 7172. Section 302 of the District of Columbia Deed Recordation Tax Act, approved  
4698 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

4699           (a) Paragraph (34) is amended by striking the phrase “; and” and inserting a semicolon in  
4700 its place.

4701           (b) Paragraph (35) is amended by striking the period at the end and inserting the phrase “;  
4702 and” in its place.

4703           (c) A new paragraph (36) is added to read as follows:

4704           “(36)(A) Deeds conveying, vesting, granting, or assigning title to, an interest in, a  
4705 security interest in, or an economic interest in the real property (and any improvements thereon)  
4706 described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,  
4707 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010 that  
4708 are recorded between October 1, 2020, and December 31, 2020.

4709           “(B) The amount of all taxes, fees, and deposits exempted under this  
4710 paragraph and D.C. Official Code § 47-902(28), shall not exceed, in the aggregate, \$420,840.”.

4711           Sec. 7173. Section 47-902 of the District of Columbia Official Code is amended by

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4712 adding a new paragraph (28) to read as follows:

4713                   “(28)(A) Transfers with respect to the real property (and any improvements  
4714 thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812,  
4715 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and  
4716 7010, as evidenced by the recordation of a deed conveying title to the real property between  
4717 October 1, 2020, and December 31, 2020.

4718                   “(B) The amount of all taxes, fees, and deposits exempted under this  
4719 paragraph and § 42-1102(36), shall not exceed, in the aggregate, \$420,840.”.

4720

4721                   **SUBTITLE P. COMBINED REPORTING TAX DEDUCTION DELAY**

4722                   Sec. 7181. Short title.

4723                   This subtitle may be cited as the “Combined Reporting Tax Deduction Delay  
4724 Congressional Review Emergency Amendment Act of 2020”.

4725                   Sec. 7182. Section 47-1810.08(b) of the District of Columbia Official Code is amended  
4726 as follows:

4727                   (a) Paragraph (1) is amended by striking the phrase “beginning with the 10th year of the  
4728 combined filing” and inserting the phrase “beginning with the 15th year of the combined filing”  
4729 in its place.

4730                   (b) Paragraph (2) is amended by striking the number “2015” and inserting the number  
4731 “2020” in its place.

4732                   **SUBTITLE Q. ESTATE TAX ADJUSTMENT**

4733                   Sec. 7191. Short title.

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4734 This subtitle may be cited as the “Estate Tax Adjustment Congressional Review  
4735 Emergency Amendment Act of 2020”.

4736 Sec. 7192. Section 47-3701 of the District of Columbia Official Code is amended as  
4737 follows:

4738 (a) Paragraph (4) is amended as follows:

4739 (1) Subparagraph (E) is amended by striking the phrase “dying after December  
4740 31, 2017” and inserting the phrase “whose death occurs after December 31, 2017, but before  
4741 January 1, 2021” in its place.

4742 (2) A new subparagraph (F) is added to read as follows:

4743 “(F) For a decedent whose death occurs after December 31, 2020:

4744 “(i) The maximum amount of credit for state death taxes allowed  
4745 by section 2011 of the Internal Revenue Code;

4746 “(ii) The amount of the unified credit shall be \$1,545,800,  
4747 increased annually, beginning with the year commencing on January 1, 2022, by the cost-of-  
4748 living adjustment; and

4749 “(iii) An estate tax return shall not be required to be filed if the  
4750 decedent’s gross estate does not exceed the applicable zero bracket amount.”.

4751 (b) Paragraph (14) is amended as follows:

4752 (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a  
4753 semicolon in its place.

4754 (2) Subparagraph (C) is amended as follows:

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4755 (A) Strike the phrase “after December 31, 2017” and insert the phrase  
4756 “after December 31, 2017, but before January 1, 2021” in its place.

4757 (B) Strike the period at the end and insert the phrase “; or” in its place.

4758 (3) A new subparagraph (D) is added to read as follows:

4759 “(D) For a decedent whose death occurs after December 31, 2020, \$4  
4760 million, increased annually, beginning with the year commencing on January 1, 2022, by the  
4761 cost-of-living adjustment.”.

4762 **SUBTITLE R. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX**

4763 **CREDIT CLARIFICATION**

4764 Sec. 7201. Short title.

4765 This subtitle may be cited as the “District of Columbia Low-Income Housing Tax Credit  
4766 Clarification Congressional Review Emergency Amendment Act of 2020”.

4767 Sec. 7202. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as  
4768 follows:

4769 (a) The table of contents is amended by striking the phrase “47-4806. Transfer, sale, or  
4770 assignment” and inserting the phrase “47-4806. Transfer, sale, assignment, or allocation” in its  
4771 place.

4772 (b) Section 47-4801 is amended as follows:

4773 (1) A new paragraph (1A) is added to read as follows:

4774 “(1A) “Commissioner” means the Commissioner of the Department of Insurance,  
4775 Securities, and Banking.”.

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4776 (2) Paragraph (3) is amended by striking the phrase “cause the construction of  
4777 affordable housing” and inserting the phrase “cause the acquisition, rehabilitation, or  
4778 construction of affordable housing” in its place.

4779 (3) Paragraph (6) is amended by striking the phrase ““Low-Income Housing Tax  
4780 Credit Program” means the program authorized by section 42 of the Internal Revenue Code of  
4781 1986” and inserting the phrase ““Federal low-income housing tax credit” means a tax credit  
4782 claimed pursuant to section 42 of the Internal Revenue Code of 1986” in its place.

4783 (4) Paragraph (7) is repealed.

4784 (5) Paragraph (8) is amended by striking the phrase “a rental housing  
4785 development that receives an allocation of federal Low-Income Housing Tax Credits from the  
4786 Department” and inserting the phrase “a rental housing development in the District that receives  
4787 an allocation of federal low-income housing tax credits under section 42(h)(1) or (4) of the 1986  
4788 Internal Revenue Code (26 U.S.C. § 42(h)(1) or (4)) after October 1, 2021, and receives an  
4789 executed extended low-income housing commitment pursuant to section 42(h)(6)(B) of the 1986  
4790 Internal Revenue Code (26 U.S.C. § 42(h)(6)(B)) from the Department dated on or after October  
4791 1, 2021”.

4792 (c) Section 47-4802 is amended as follows:

4793 (1) Subsection (a) is amended to read as follows:

4794 “(a) There is established a District of Columbia low-income housing tax credit.”.

4795 (2) Subsection (b) is repealed.

4796 (3) Subsection (c) is repealed.

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4797 (4) Subsection (d) is amended by striking the phrase “tax credit award” and  
4798 inserting the phrase “tax credit” in its place.

4799 (d) Section 47-4803 is amended as follows:

4800 (1) Subsection (a) is amended to read as follow:

4801 “(a) An owner of a qualified project may receive a District of Columbia low-income  
4802 housing tax credit with respect to that qualified project in an amount equal to 25% of the value of  
4803 the federal low-income housing tax credit received with respect to the qualified project.”.

4804 (2) Subsection (b) is amended to read as follows:

4805 “(b)(1) If the owner of a qualified project transfers, sells, or assigns a District of  
4806 Columbia low-income housing tax credit to another taxpayer, pursuant to § 47-4806, the District  
4807 of Columbia low-income housing tax credit shall not be taken, pursuant to subsection (c) of this  
4808 section, against taxes imposed under this title unless the owner has filed with the Department, in  
4809 a form determined by the Department, an affidavit certifying that:

4810 “(A) The owner of the qualified project received, as consideration for  
4811 transferring, selling, or assigning the District of Columbia low-income housing tax credit, at least  
4812 80% of the per dollar sale price for a federal low-income housing tax credit associated with the  
4813 qualified project that the owner has transferred, sold, or assigned; and

4814 “(B) The value received by the owner of the qualified project was used to  
4815 ensure financial feasibility of the qualified project.

4816 “(2) The Department shall deliver to the Chief Financial Officer and the  
4817 Commissioner an annual report certifying the ongoing eligibility of an eligible project to receive  
4818 federal low-income housing tax credits.”.



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4819 (3) Subsection (c) is amended to read as follows:

4820 “(c)(1) The District of Columbia low-income housing tax credit may be claimed against  
4821 taxes imposed under Chapter 18 of this title or § 47-2608(a)(1).

4822 “(2) The District of Columbia low-income housing tax credit may be claimed  
4823 equally for 10 years, subtracted from the tax otherwise due for each taxable period and shall not  
4824 be refundable; provided, that the credit may not be taken against any tax that is dedicated in  
4825 whole or in part to the Healthy DC and Health Care Expansion Fund established by § 31-  
4826 3514.02.”.

4827 “(3) If the District of Columbia low-income housing tax credit is claimed against  
4828 taxes imposed under Chapter 18 of this title, any amount of the low-income housing tax credit  
4829 that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining  
4830 subsequent taxable years for taxes imposed under Chapter 18 of this title. If the District of  
4831 Columbia low-income housing tax credit is claimed against taxes imposed under § 47-  
4832 2608(a)(1), any amount of the credit that exceeds the tax due for a taxable year may be carried  
4833 forward to any of the 10 remaining subsequent taxable years for taxes imposed under § 47-  
4834 2608(a)(1).”.

4835 (4) Subsection (d)(1) is amended by striking the phrase “allocated to parties who  
4836 are eligible under the provisions of subsection (a) of this section” and inserting the phrase  
4837 “transferred, sold, assigned, or allocated to parties who are eligible pursuant to Chapter 48 of  
4838 Title 47 of the District of Columbia Official Code” in its place.

4839 (5) Subsection (e) is amended as follows:

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4840 (A) The lead-in language is amended by striking the phrase “submitted to  
4841 the Chief Financial Officer as provided in this section” and inserting the phrase “submitted to the  
4842 Chief Financial Officer and the Commissioner as provided in this section” in its place.

4843 (B) Paragraph (2) is amended by striking the phrase “each taxpayer  
4844 subject to the recapture” and inserting the phrase “each transferee, purchaser, assignee, or party  
4845 to whom a credit is allocated” in its place.

4846 (C) Paragraph (3) is amended by striking the phrase “allocated to such  
4847 taxpayer” and inserting the phrase “allocated to such transferee, purchaser, assignee, or party to  
4848 whom a credit is allocated” in its place.

4849 (6) Subsection (f)(1) is amended by striking the phrase “A tax credit allowed  
4850 under this section shall not be denied to the taxpayer with respect to any qualified project” and  
4851 inserting the phrase “A District of Columbia low-income housing tax credit allowed under this  
4852 section shall not be denied with respect to any qualified project” in its place.

4853 (e) Section 47-4804 is amended as follows:

4854 (1) Subsection (a) is amended to read as follows:

4855 “(a) The owner of a qualified project eligible for the District of Columbia low-income  
4856 housing tax credit shall submit a copy of the eligibility statement issued by the Department with  
4857 respect to the qualified project at the time of filing the return required to be filed by the owner  
4858 pursuant to § 47-1805.02. In the case of failure to attach the eligibility statement, a credit under  
4859 this section shall not be allowed with respect to such qualified project for that year until the copy  
4860 is provided to the Chief Financial Officer and the Commissioner.”.

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4861                   (2) Subsection (b) is amended by striking the phrase “such qualified District of  
4862 Columbia project shall also be recaptured” and inserting the phrase “such qualified District of  
4863 Columbia project shall also be recaptured by the Office of Chief Financial Officer or  
4864 Commissioner of Insurance, Securities, and Banking” in its place.

4865                   (f) Section 47-4805 is amended by striking the phrase “The Chief Financial Officer or the  
4866 Department may require” and inserting the phrase “The Chief Financial Officer, the  
4867 Commissioner, or the Department may require” in its place.

4868                   (g) Section 47-4806 is amended as follows:

4869                   (1) The section heading is amended by striking the phrase “Transfer, sale, or  
4870 assignment” and inserting the phrase “Transfer, sale, assignment, or allocation” in its place.

4871                   (2) Subsection (a) is amended as follows:

4872                   (A) The existing text is designated as paragraph (1) and amended  
4873 to read as follows:

4874                   “(1) All or any portion of credits issued in accordance with the provisions of  
4875 this section may be transferred, sold, or assigned to another taxpayer. There is no limit on the  
4876 total number of transactions for the transfer, sale, or assignment of all or part of the total credit  
4877 authorized under this section. Collectively, all transfers, sales, assignments, and allocations  
4878 pursuant to paragraph (2) of this subsection are subject to the maximum credit allowable to a  
4879 particular qualified project.”.

4880                   (B) A new paragraph (2) is added to read as follows:

4881                   “(2) A tax credit earned or purchased by, or transferred or assigned to, a

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4882 partnership, limited liability company, S corporation, or other pass-through entity may be  
4883 allocated to the partners, members, or shareholders of that entity in accordance with the  
4884 provisions of any agreement among the partners, members, or shareholders and without  
4885 regarding to the ownership interest of the partners, members, or shareholders in the qualified  
4886 project. A partner, member, or shareholder to whom a tax credit is allocated may further allocate  
4887 all or part of the allocated credit as provided in this subsection or may transfer, sell, or assign the  
4888 allocated credit as provided in paragraph (1) of this subsection. There is no limit on the total  
4889 number of allocations of all or part of the total credit authorized under this section; however,  
4890 collectively, all transfers, sales, assignments, and allocations, made pursuant to this subsection,  
4891 are subject to the maximum credit allowable to a particular qualified project.”.

4892 (3) Subsection (b) is amended to read as follows:

4893 “(b) An owner, transferee, purchaser, assignee, or taxpayer to whom a tax credit is  
4894 allocated pursuant to subsection (a)(2) of this section, desiring to make a transfer, sale,  
4895 assignment, or allocation pursuant to subsection (a)(2) of this section, shall submit to the Chief  
4896 Financial Officer and the Commissioner a statement that describes the amount of District of  
4897 Columbia low-income housing tax credit for which such transfer, sale, assignment, or allocation  
4898 of District of Columbia low-income housing tax credit is eligible. The owner, transferor, seller,  
4899 assignor, or taxpayer who is allocating, pursuant to subsection (a)(2) of this section, the tax  
4900 credit, as applicable, shall provide to the Chief Financial Officer and the Commissioner  
4901 appropriate information so that the low-income housing tax credit can be properly allocated.”.

4902 (4) Subsection (c)(3) is amended to read as follows:

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4903                   “(3) Amount of credit previously transferred, sold, assigned, or allocated to such  
4904 transferee, purchaser, assignee, or taxpayer to whom a credit is allocated.”.

4905                   (h) Section 47-4807 is amended as follows:

4906                   (1) Subsection (a) is amended by striking the phrase “The Department, in  
4907 consultation with the Chief Financial Officer, shall monitor” and inserting the phrase “The  
4908 Department, in consultation with the Chief Financial Officer and the Commissioner, shall  
4909 monitor” in its place.

4910                   (2) Subsection (b) is amended by striking the phrase “The Department or the  
4911 Chief Financial Officer shall report” and inserting the phrase “The Department, the Chief  
4912 Financial Officer, or the Commissioner shall report” in its place.

4913                   **SUBTITLE S. EXCLUDED WORKERS**

4914                   Sec. 7211. Short title.

4915                   This subtitle may be cited as the “Excluded Workers Congressional Review Emergency  
4916 Amendment Act of 2020”.

4917                   Sec. 7212. Assistance for excluded workers.

4918                   The Washington Convention Center Authority Act of 1994, effective September 28, 1994  
4919 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended by adding a new  
4920 section 203a to read as follows:

4921                   “Sec. 203a. Assistance for excluded workers.

4922                   “(a) During the public health emergency declared in the Mayor’s order dated March 11,  
4923 2020 and any extensions thereof, the Washington Convention and Sports Authority (“Events  
4924 DC”) shall issue, subject to the availability of funds, grants or contracts to nonprofit entities to

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4925 use to provide cash assistance to District residents who are otherwise excluded from District and  
4926 federal aid related to COVID-19. To qualify for cash assistance from grants or contracts awarded  
4927 pursuant to this section, a District resident shall, at the time of application for assistance under  
4928 this section:

4929           “(1) Demonstrate loss of income due to the public health emergency;

4930           “(2)(A) Be ineligible for:

4931                           “(i) Unemployment insurance; or

4932                           “(ii) COVID-19 relief; or

4933           “(B) Be a returning citizen, as defined by section 2(5) of the Office on Ex-  
4934 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of  
4935 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5)), whose  
4936 incarceration ended not more than 6 months before the time of application for assistance under  
4937 this section; and

4938           “(3) Provide a:

4939                           “(A) Signed certification that the resident’s loss of income stems from the  
4940 public health emergency; and

4941                           “(B) Proof of residency and eligibility for relief, as determined by Events  
4942 DC and consistent with rules and standards for COVID-19 relief programs administered by  
4943 Events DC.

4944           “(b) Any entity receiving a grant or contract pursuant to this section may use no more  
4945 than 10% of the grant for administrative expenses incurred from administering the cash  
4946 assistance program.

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4947 “(c) Cash assistance provided to eligible individuals pursuant to this section shall not be  
4948 considered in determining eligibility for any means-tested programs administered by the District.

4949 “(d) For the purposes of this section the term:

4950 “(1) “COVID-19” means the disease caused by the novel coronavirus SARS-  
4951 CoV-2.

4952 “(2) COVID-19 relief” means means federal monetary unemployment assistance  
4953 provided under the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,  
4954 2020 (134 Stat. 281; 15 U.S.C. § 9001 *et seq.*), which shall include tax credits but shall not  
4955 include federal Economic Impact Payments or other stimulus relief for which eligibility is not  
4956 contingent on the recipient’s employment status.”.

4957 Sec. 7213. Non-taxability.

4958 Section 47-1803.02(a)(2) of the District of Columbia Official Code is amended to add a  
4959 new subparagraph (JJ) to read as follows:

4960 “(JJ) Cash assistance for excluded workers given pursuant to grants  
4961 awarded by the Washington Convention and Sports Authority in 2020.”.

4962 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

4963 Sec. 8001. Short title.

4964 This subtitle may be cited as the “Designated Fund Transfer Congressional Review  
4965 Emergency Act of 2020”.

4966 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the  
4967 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year  
4968 2021 and in each fiscal year through Fiscal Year 2024 the following recurring amounts from

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4969 certified fund balances and other revenue in the identified accounts to the unassigned fund

4970 balance of the General Fund of the District of Columbia:

Agency Code	Agency	Fund Detail	Fund Name	FY 2021 -2024
CR0	DCRA	6013	Basic Business License Fund	6,000
CR0	DCRA	6040	Corporate Recordation Fund	12,500
HA0	DPR	0602	Enterprise Fund Account	150,000
HC0	DOH	0605	SHPDA Fees	4,000
HC0	DOH	0632	Pharmacy Protection	5,393
HC0	DOH	0633	Radiation Protection	3,500
HC0	DOH	0643	Board of Medicine	145,493
HC0	DOH	0656	EMS Fees	5,250
KG0	DOEE	0646	Stormwater Fees	2,000
KG0	DOEE	0662	Renewable Energy Development Fund	30,000
KG0	DOEE	6700	Sustainable Energy Trust Fund	40,000
LQ0	ABRA	6017	ABC - Import and Class License Fees	245,368
PO0	OCP	4010	DC Surplus Personal Property Sales Operation	10,000
SR0	DISB	2100	HMO Assessment	17,763
SR0	DISB	2200	Insurance Assessment	120,790
SR0	DISB	2350	Securities and Banking Fund	370,403
SR0	DISB	2800	Captive Insurance	82,741
TC0	DFHV	2400	Public Vehicles for Hire	21,000
<b>Total</b>				<b>1,272,201</b>

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4972 (b) The amounts identified in subsection (a) of this section shall be made available as set

4973 forth in the approved Fiscal Year 2021 Budget and Financial Plan.

4974 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

4975 Sec. 9001. Applicability.

4976 Except as otherwise provided, this act shall apply as of October 20, 2020.



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4977           Sec. 9002. Fiscal impact statement.

4978           The Council adopts the fiscal impact statement in the committee report as the fiscal  
4979 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
4980 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4981           Sec. 9003. Effective date.

4982           This act shall take effect following approval by the Mayor (or in the event of veto by the  
4983 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
4984 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
4985 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
4986 D.C. Official Code § 1-204.12(a)).