

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** May 27, 2015

**SUBJECT:** Report on Bill 21-158, the “Fiscal Year 2016 Budget Support Act of 2015”

The Committee of the Whole, to which Bill 21-158 was referred, reports favorably thereon with amendments and recommends approval by the Council.

**CONTENTS**

I.	Background and Need .....	1
II.	Legislative Chronology .....	2
III.	Position of the Executive .....	2
IV.	Comments of Advisory Neighborhood Commissions .....	2
V.	List of Witnesses .....	3
VI.	Impact on Existing Law .....	4
VII.	Fiscal Impact .....	4
VIII.	Subtitle-by-Subtitle Analysis .....	5
IX.	Committee Action .....	20
X.	Attachments .....	20

**I. BACKGROUND AND NEED**

The purpose of Bill 21-158, the Fiscal Year 2016 Budget Support Act of 2015 (“FY 2016 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2016 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 21-158 is available in the various committee budget reports. The committee print attached to this report contains FY 2016 BSA subtitles as recommended by the Committee of the Whole based on recommendations and feedback from the various Council committees. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations play an important role in the performance and budget review process by the Council. The Committee of the Whole expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

## **II. LEGISLATIVE CHRONOLOGY**

April 2, 2015	Chairman Mendelson introduces Bill 21-158 on behalf of the Mayor
April 3, 2015	Notice of public hearings on Bill 21-158 is published in the <i>District of Columbia Register</i>
April 13, 2015	Committee of the Whole holds a public briefing on Bill 21-157, Bill 21-158, and the Mayor's Fiscal Year 2016 Proposed Budget and Financial Plan
April 17, 2015	Notice of Intent to Act on Bill 21-158 is published in the <i>District of Columbia Register</i>
April 15 - May 7, 2015	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2016 Budget Support Act of 2015 that were referred to them for comments
May 8, 2015	Committee of the Whole holds a public hearing on Bill 21-157 and Bill 21-158
May 12-14, 2015	Committees mark up and approve their budget recommendations for Fiscal Year 2016
May 27, 2015	Committee of the Whole marks up Bill 21-158

## **III. POSITION OF THE EXECUTIVE**

Chairman Mendelson introduced Bill 21-158 on behalf of the Mayor. On May 11, 2015, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 21-158 and budget documents.

At the May 8, 2015 hearing on Bill 21-158, City Administrator Rashad Young and Matthew Brown, Director of the Mayor's Office of Budget and Finance, presented testimony on behalf of the Mayor.

## **IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS**

The Committee of the Whole received no testimony or comments from any Advisory Neighborhood Commission on Bill 21-158.

## V. LIST OF WITNESSES

The Committee of the Whole held a public hearing on Bill 21-158 on May 8, 2015.<sup>1</sup> The witnesses were:

- |     |                         |   |
|-----|-------------------------|---|
| 1.  | Lisa Mallory            | CEO, DCBIA  |
| 2.  | Sean Cahill             | President, DCBIA  |
| 3.  | Paul Blair              | State Affairs Manager, Americans for Tax Reform   |
| 4.  | Donna Pavetti           | Vice President for Family Income Support Policy, Center on Budget and Policy Priorities |
| 5.  | Ed Lazere               | Executive Director, DC Fiscal Policy Institute  |
| 6.  | Veronica Sharpe         | Executive Director, District of Columbia Health Care Association                        |
| 7.  | Ericka Taylor           | Executive Director, DC Fair Budget Coalition  |
| 8.  | David Bardin            | Public Witness  |
| 9.  | Patricia Mullahy Fugere | Executive Director, Washington Legal Clinic for the Homeless                            |
| 10. | Kurt Runge              | Director of Advocacy, Miriam's Kitchen  |
| 11. | Lara Pukatch            | Miriam's Kitchen  |
| 12. | Mark Elton              | Bancroft Elementary School PTO  |
| 13. | Tonija Navas            | President, Bancroft Elementary School PTO   |
| 14. | Alejandra Vallejo       | Bancroft Elementary School PTO  |
| 15. | Jocelyn Kaiser          | Bancroft Elementary School PTO  |
| 16. | Nechama Masliansky      | Senior Advisor, SOME, Inc. (So Others Might Eat)  |
| 17. | Samantha Davis          | Advocacy Specialist, SOME, Inc. (So Others Might Eat)                                   |
| 18. | David Schwartzman       | Tax and Budget Coordinator, DC Statehood Green Party                                    |
| 19. | Gable Barmer            | J&G Consultants   |
| 20. | Sam Jewler              | DC Community Organizer, Jews United for Justice   |
| 21. | Robert Bremner          | HumanitiesDC Board of Directors   |
| 22. | Oramenta Newsome        | Washington, DC Community Development Oral Histories                                     |
| 23. | Elizabeth Shurgin       | DC Youth Orchestra Program  |
| 24. | Zachary Levine          | Jewish Historical Society of Greater Washington   |
| 25. | Bethany Henderson       | Executive Director of DC SCORES   |
| 26. | Shay Stevens            | Washington Performing Arts  |
| 27. | Robert Warren           | Director, People for Fairness Coalition   |
| 28. | Janet Sharp             | People for Fairness Coalition   |

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<sup>1</sup> All of the Council's committees held hearings between April 15 and May 7, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the FY 2016 BSA.

29.	Damon King	Children's Law Center
30.	Juanita Hardy	Executive Director, CulturalDC
31.	Gregory Conley	President, American Vaping Association
32.	Sean Robinson	Public Witness
33.	Carol Dostert	Public Witness
34.	Christine Brooks Cropper	Chair, Commission on Fashion, Arts, and Events
35.	G. Lee Aikin	Public Witness
36.	Sunny Sumter	Executive Director, DC Jazz Festival
37.	Monica Kamen	Advocacy Coordinator, Fair Budget Coalition
38.	Ericka Taylor	Public Witness
39.	Kevin Clinton	Chief Operating Officer, Federal City Council
40.	Tamaso Johnson	DC Coalition Against Domestic Violence
41.	Rashad Young	City Administrator
42.	Matt Brown	Director, Office of Budget and Finance

## **VI. IMPACT ON EXISTING LAW**

Bill 21-158 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *infra*.

## **VII. FISCAL IMPACT**

Bill 21-158 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the FY 2016 budget. The fiscal impact of the legislation is set forth in the attached fiscal impact statement of the Office of the Chief Financial Officer ("OCFO").

## VIII. SUBTITLE-BY-SUBTITLE ANALYSIS<sup>2</sup>

Section 1 States the short title of Bill 21-158.

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

**Subtitle A. Bonus and Special Pay Limitation Act of 2015:** prohibits the award of most bonuses, special awards pay, and service awards in FY 2016. Similar language has been adopted in the BSA for each of the last several fiscal years.

**Subtitle B. Supply Management Amendment Act of 2015:** authorizes the Office of Contracting and Procurement (“OCP”) to enter into agreements with other agencies or public charter schools to dispose of those entities’ surplus goods; allows OCP to charge a 6% fee for such services; establishes the lapsing Surplus Property Sales Fund under OCP, to receive fees such fees and fund OCP’s surplus property disposition operations.

**Subtitle C. Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs Amendment Act of 2015:** renames the Office of Gay, Lesbian, Bisexual, and Transgender Affairs the “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs.”

**Subtitle D. Elected Attorney General Authority and Litigation Fund Establishment Amendment Act of 2015:** provides the Office of the Attorney General (“OAG”) independent personnel and procurement authority; establishes the Litigation Support Fund, into which shall be deposited certain amounts from favorable judgments and settlements, to be used by the OAG to fund non personal services costs related to litigation; provides subpoena authority to the OAG in cases related to consumer protection.

**Subtitle E. Office on Aging Reporting Requirements Act of 2015:** requires the Mayor to submit quarterly reports in FY 2016 to provide detailed information for specific areas of operation within the Office on Aging.

**Subtitle F. Grant Administration Amendment Act of 2015:** amends existing grant law to extend its provisions to cover grants provided in the FY 2016 BSA and thereafter; sets forth competition, transparency, and reporting requirements for District-issued grants in order to ensure accountability and an ethical distribution of funds.

**Subtitle G. Independent Investigation Debarment Authority Amendment Act of 2015:** authorizes the Council, the Inspector General, and the District of Columbia Auditor to notify the Chief Procurement Officer (“CPO”) that a person has willfully failed to cooperate with an audit, inspection, investigation, or Council investigation, or has failed to produce required records; requires the CPO to determine whether to suspend or debar the person.

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<sup>2</sup> Due to the size and complexity of the committee print of Bill 21-158, and in keeping with standard Council practice and Council Rule 803(j), this part of the report analyzes the legislation by subtitle, rather than by section.

**Subtitle H. Cultural Plan for the District Act of 2015:** requires the Director of the Office of Planning (“OP”) to submit by December 15, 2016 a comprehensive cultural plan, to be developed by a private cultural-planning firm; establishes a Cultural Planning Steering Committee to assist in implementation of the plan.

**Subtitle I. Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2015:** increases from 3 to 5 the number of members of the Board of Ethics and Government Accountability; establishes the initial term lengths for the members.

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

**Subtitle A. Department of Small and Local Business Development Micro Loan Fund Amendment Act of 2015:** renames the Micro Loan Fund to the “Small Business Capital Access Fund”; expands the class of recipients eligible to receive subsidies from the Fund to include not only certified small business enterprises (“SBEs”) and disadvantaged business enterprises (“DBEs”), but also businesses that are eligible to be certified as SBEs or DBEs.

**Subtitle B. Apprenticeship Modernization Amendment Act of 2015:** enacts, on a permanent basis, language identical to Law 20-256, the Apprenticeship Modernization Temporary Amendment Act of 2014; provides for voluntary apprenticeship and allows the District to continue to be recognized by the U.S. Department of Labor as a State Apprenticeship Agency.

**Subtitle C. Retail Priority Amendment Act of 2015:** amends a number of existing Retail Priority Areas (“RPAs”) to include those properties abutting the boundary lines of the RPAs; extends the Connecticut Avenue RPA to Western Avenue; establishes a new Tenleytown RPA; expands the use of the H Street Grant Fund to fund, for FY 2016 only, \$4 million of small business assistance through DMPED’s Great Streets program.

**Subtitle D. Youth Employment and Work Readiness Training Amendment Act of 2015:** provides that the summer youth employment program shall enroll between 10,000 and 21,000 youth age 14 to 21, and sets wages and hours-worked limitations for the youth; establishes an in-school work readiness program for students age 14 to 21, and an out-of-school program for youth age 16 to 24; establishes wage rates and work schedule limitations; requires the Department of Employment Services (“DOES”) to provide aggregated data related to the program by February 1 of each year.

**Subtitle E. Local Rent Supplement Amendment Act of 2015:** establishes new referral options for persons to be considered for Local Rent Supplement Program vouchers: families referred by the Department of Human Services or other agency designated by the Mayor, families or individuals in Rapid Re-Housing, and households in Permanent Supportive Housing who no longer require permanent supportive services but still require housing assistance.

**Subtitle F. Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2015:** redefines the term “preexisting equity” for purposes of the Housing Production Trust Fund Act of 1988, to allow a lower-income homeowner to pay back, upon the sale of his or her unit, *either* 1) the difference between an initial contract sales price and the fair market appraised value at the time of the initial sale or 2) the amount of public subsidy provided pursuant to the Act that was invested in the creation of the affordable housing unit;<sup>3</sup> expands the lower income homeownership deed recordation tax exemption to apply to a unit exceeding 80% of the median sale price for District homes in the prior year so long as the unit also qualifies as a continuing affordable unit under the Housing Production Trust Fund Act of 1988.

**Subtitle G. Sidewalk Café and Summer Garden Endorsement Amendment Act of 2015:** allows breweries, distilleries, and wineries to apply for endorsements and permits to operate sidewalk cafés or summer gardens between 1pm and 9pm, seven days a week; clarifies that an establishment authorized to serve food indoors is also authorized to apply for a sidewalk café permit and endorsement.

**Subtitle H. Entertainment and Media Production and Development Amendment Act of 2015:** unifies the Office of Cable Television and Office of Motion Picture and Television Development into a single agency, the “Office of Cable Television, Film, Music, and Entertainment”; establishes the duties of the new agency; repeals the Office of Motion Picture and Television Development Establishment Act of 2014.

**Subtitle I. Local Business Enterprise Certification Amendment Act of 2015:** corrects the eligibility requirements for a Local Business Enterprise (*see* D.C. Code § 2-231.31(2A)) in order to alter how the Department of Small and Local Business Development evaluates a business’ assets and gross receipts in determining whether they meet the requirements for certification, and makes this amendment retroactive in order to prevent that error from causing a business certified as a longtime resident business (as defined under D.C. Code § 2-218.02(13)) from losing that certification.

**Subtitle J. Solar Permitting Fees Technical Amendment Act of 2015:** corrects, on a permanent basis, a citation in the Solar Permitting Fees Amendment Act of 2014 to refer to the proper chapter of the DCMR.<sup>4</sup>

**Subtitle K. Electric Company Infrastructure Improvement Financing Amendment Act of 2015:** clarifies the cost allocation methodology to be used for purposes of Law 20-102, the Electric Company Infrastructure Improvement Financing Act of 2014, to reflect the

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<sup>3</sup> Currently, the homeowner is required to pay back the *greater* of those two amounts, pursuant to Law 20-190, the Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014. This subtitle would, therefore, increase the relative equity of the owner of the lower-income unit.

<sup>4</sup> The erroneous citation was identified by the Department of Consumer and Regulatory Affairs following the enactment of the FY 2015 Budget Support Act of 2014.

understanding of the Office of the People’s Counsel, undergrounding task force, the electric utility, and the Mayor.

**Subtitle L. Adult Career Pathways Task Force Amendment Act of 2015:** adds the Director of the Department of Disability Services, or his or her designee, to the Adult Career Pathways Task Force; requires the Task Force to submit to the Council and the Mayor the city-wide strategic plan, developed in concert with the District’s state integrated workforce development plan, no later than September 30, 2015.

**Subtitle M. Adult Career Pathways Implementation Amendment Act of 2015:** requires the Workforce Investment Council (“WIC”) to plan for and issue Career Pathways Innovation grants to design, pilot, and scale best practices in the implementation of adult career pathways consistent with the Adult Career Pathways Task Force’s city-wide strategic plan; provides that the WIC may use amount from the Unemployment and Workforce Development Administrative Fund for technical assistance and to provide the grants.

**Subtitle N. Clean Team Extension Amendment Act of 2015:** amends the boundaries for Wisconsin Avenue and Connecticut Avenue Clean Teams.

**Subtitle O DC Beautiful Pilot Program Act of 2015:** requires OP to select 2 or more street segments in Wards 7 or 8 that are currently not served by a BID and to design, plan, and coordinate efforts of private actors and government agencies to beautify the designated areas during FY 2016.

**Subtitle P. Greater Economic Opportunity Strategic Planning Act of 2015:** requires the Deputy Mayor for Greater Economic Opportunity to create a 5-year strategic plan or strategic plans for Ward 7 and Ward 8 that analyze data related to education, housing, employment, transit, and economic development in each ward and make recommendations for improvement in each of these areas.

**Subtitle Q. Uniform Commercial Code Bulk Sales Conforming Clarification Act of 2015:** clarifies that an alcoholic beverage wholesaler is not precluded by DC Code section 25-303 from obtaining, perfecting, or enforcing a security interest under Uniform Commercial Code Article 9 in any personal property or fixtures of a retailer or other licensee, including inventory, accounts, and other rights to payment.<sup>5</sup>

**Subtitle R. Creative and Open Space Modernization Act of 2015:** authorizes DMPED to issue up to \$3 million in grants from the Economic Development Special Account to Qualified High Technology Companies for the purpose of improving rented business space, beginning in FY 2017.

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<sup>5</sup> Section 25-303 prohibits alcoholic beverage wholesalers from holding another alcohol license, such as a retailer’s license. This subtitle is designed to preserve that prohibition, while making clear that a wholesaler-creditor is still entitled to file an Article 9 financing statement with the Recorder of Deeds in order to record a security interest in a retailer’s stock.



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

**Subtitle A. Body-Worn Camera Privacy Amendment Act of 2015:** requires the Mayor to develop proposed rules, in consultation with an advisory group consisting of District agencies and other organizations, regarding the accessibility of information related to the Metropolitan Police Department's Body-Worn Camera Program, and to submit those proposed rules to the Council for approval; requires the Mayor to collect and publish a biannual report of certain data related to the Body-Worn Camera Program; requires the Office of Police Complaints to provide an annual report to the Council on the effectiveness of the Body-Worn Camera Program.

**Subtitle B. Child Fatality Review Committee Establishment Amendment Act of 2015:** clarifies the existing membership in the Committee and expands the composition of the Committee to include representatives from the Department of Behavioral Health, the Department of Health Care Finance, the Department of Youth Rehabilitation Services, and the Office of the State Superintendent for Education.

**Subtitle C. Office of the Deputy Mayor for Public Safety and Justice Amendment Act of 2015:** clarifies the role of the Office of the Deputy Mayor for Public Safety and Justice with regard to entities classified under that office by statute.

**Subtitle D. Sentencing and Criminal Code Revision Commission Staffing Amendment Act of 2015:** increases from 10 to 11 the number of Excepted Service employees that may be appointed by the Sentencing and Criminal Code Revision Commission.<sup>6</sup>

**Subtitle E. Oversight of Delivery of Health Care to Inmates Amendment Act of 2015:** requires the Corrections Information Council to retain an independent expert consultant for one year, beginning no later than June 2016, to inspect the provision of healthcare services at Department of Corrections ("DOC") facilities, including halfway houses; establishes reporting duties for the consultant and requires that DOC and its contractors cooperate with the consultant's efforts.

**Subtitle F. DOC Inmate and Returning Citizen Assistance Act of 2015:** provides that of the FY 2016 funds available to the Justice Grants Administration, no less than \$100,000 shall be awarded to help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facilities and recently released inmates.

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

**Subtitle A. Funding for Public Schools and Public Charter Schools Amendment Act of 2015:** establishes the per-student funding formula for the 2014-2015 school year, including

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<sup>6</sup> The Commission's staff is entirely Excepted Service. This legislative change is necessitated by a budget action by the Council to fund an additional employee at the Commission.

weighting factors for per-student allocations; provides that, beginning in FY 2017, District government agencies must provide services to DC Public Schools (“DCPS”) and DC Public Charter Schools on an equal basis.

**Subtitle B. School Technology Fund Amendment Act of 2015:** requires each local education agency (“LEA”) to report, by November 15 of each year, on the LEA’s expenditures from the Schools Technology Fund, including detailed descriptions of the items purchased, the costs thereof, and the technological improvements that were made using the Fund. .

**Subtitle C. Student Residency Verification Fund Amendment Act of 2015:** dedicates all non-resident tuition and fees charged by DCPS to the Student Residency Verification Fund, to be used to support residency verification efforts.

**Subtitle D. At-Risk Weight Preservation Fund Establishment Act of 2015:** creates the nonlapsing At-Risk Supplemental Allocation Preservation Fund to fund services and materials to assist at-risk students; provides that the Fund shall receive unspent local funds in the DCPS budget associated with the at-risk weight at the end of a school year; limits deposits into the Fund at 5% of the total DCPS at-risk allocation in a given year.

**Subtitle E. Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015:** sets the Chancellor’s salary at \$284,000 per year, an adjustment already enacted on a temporary basis via Act 21-40, the Chancellor of the District of Columbia Public Schools Salary Adjustment Temporary Amendment Act of 2015.

**Subtitle F. District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015:** authorizes the Chancellor to contract for advertisements and sponsorships for athletics, community engagement events, or facilities improvements; provides that all revenues from such advertisements or sponsorships shall be deposited in a new, nonlapsing District of Columbia Public Schools Advertisements and Sponsorships Fund, to be used to support the DCPS operations

**Subtitle G. Education Evaluation Data Protection Amendment Act of 2015:** exempts from FOIA requests individual educator evaluations, observations, and value-added data collected or maintained by OSSE, making permanent a policy decision enacted on a temporary basis via Act 21-42.

**Subtitle H. Books from Birth Establishment Amendment Act of 2015:** establishes a program under the District of Columbia Public Library to provide books to children age zero to five, at a rate of one book per month, to be delivered to the residence of the child; creates the Books from Birth Fund to receive sponsorship and other revenues for the purpose of funding the program.

**Subtitle I. Education Reporting Requirements Act of 2015:** sets forth various reporting requirements for the Office of the State Superintendent of Education, the Public Charter School Board, and the Deputy Mayor for Education.

**Subtitle J. At Risk Funding Amendment Act of 2015:** mandates that funds provided to DCPS pursuant to the at-risk funding weight add-on shall be utilized at the direction of the Chancellor in consultation with the principal and local school advisory team for the purpose of improving student achievement among at-risk students; requires the Chancellor to publish an report on the allocation of funds by October 1 of each year.

**Subtitle K. Environmental Literacy Specialist Pilot Program Amendment Act of 2015:** requires the Office of the State Superintendent of Education (“OSSE”) to establish one-year pilot program to provide funds to employ environmental literacy specialists at 8 DCPS and charter elementary schools; limits eligibility for schools to participate in the program to those schools that have an existing garden or a plan to establish a garden with the assistance of an environmental literacy specialist.

**Subtitle L. District of Columbia Public Library Revenue Generating Services Amendment Act of 2015:** sets forth requirements for DCPL to conduct revenue-generating services at its facilities; establishes a nonlapsing fund to receive such revenue to defray the costs of providing such services and the non-personnel costs of DCPL’s library services mission.

**Subtitle M. My School DC EdFest Sponsorship and Advertising Act of 2015:** authorizes the Deputy Mayor for Education (“DME”) may contract for advertisements and sponsorships for the My School DC EdFest, an annual citywide public school fair.

**Subtitle N. Youth Bullying Prevention Amendment Act of 2015:** sets forth new duties for the Youth Bullying Prevention Task Force and extends the sunset for the task force to August 2018.

**Subtitle O. Early Literacy Grant Program Amendment Act of 2015:** authorizes a competitive grant from OSSE to provide a full continuum of school-based, early literacy intervention services for grades pre-K through 3<sup>rd</sup> grade; prohibits local education agencies from receiving the funding.

**Subtitle P. Deputy Mayor for Education Limited Grant-Making Authority Amendment Act of 2015:** provides grant-making authority to the DME for grants of \$270,000 to an organization to provide services for high school students who are at risk of dropping out and \$148,000 to an organization to provide a music instruction program serving elementary school students of limited means.

**Subtitle Q. Public Charter School Payment Reprogramming Amendment Act of 2015:** provides that any funds appropriated for public charter school payments and which remain in the escrow account for public charter schools in excess of public charter school payment

requirements shall only be reprogrammed to another District agency or program within the education sector of the District government, including the University of the District of Columbia.

**Subtitle R. University of the District of Columbia Fundraising Match Amendment Act of 2015:** requires that an amount of up to \$1 million from the Non-Departmental paper agency be used each year to match private donations that the University of the District of Columbia may raise for the purpose of meeting accreditation standards.

**Subtitle S. Public Charter School Board Administrative Fund Amendment Act of 2015:** establishes a nonlapsing fund to collect the administrative fee that the Public Charter School Board receives from public charter schools pursuant to D.C. Official Code § 38-1802.11; provides that the fund shall be used to fund the operations of the Board. Because the fees are already dedicated to this purpose and the fund already exists in the budget system, this subtitle is essentially a conforming amendment to bring the statute in line with existing practice.

**Subtitle T. Raising Expectations for Education Amendment Act of 2015:** enables the Community Schools Initiative to expand to lower grade levels; strengthens application requirements, provides for evaluation of the program; requires the Community Schools Advisory Board to meet annually to review the annual progress of the program.

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

**Subtitle A. Temporary Assistance for Needy Families Amendment Act of 2015:** provides that beginning in FY 2017, TANF benefits will no longer be available to recipients that have received TANF for 60 months; establishes annual inflation rates for the level of assistance.

**Subtitle B. Medical Assistance Program Amendment Act of 2015:** approves a number of State Plan Amendments to the District's Medicaid program.

**Subtitle C. POWER Expansion Amendment Act of 2015:** provides that, beginning in FY 2017, an assistance unit shall be eligible for POWER if the head of the assistance unit is a single custodial parent or caretaker with a child under 6 months old; provided, that no parent or caretaker may remain eligible under this condition for a total exceeding 12 months (including multiple children).

**Subtitle D. Pharmaceutical Detailing Licensure Exemption Amendment Act of 2015:** exempts from licensure persons who are engaged in the practice of pharmaceutical detailing for less than 30 consecutive days per calendar year.

**Subtitle E. Department of Health Functions Clarification Amendment Act of 2015:** provides grant-making authority to the Department of Health in FY 2016 to make the following competitive grants: 1) \$569,000 for programs to promote health development in girls in grades 8-12 in areas of the city possessing the highest rates of teen pregnancy, \$150,000 for clinical nutritional home delivery services for individuals living with life-threatening diseases, and

\$157,000 for teen peer educators who work to provide sexual health information and condoms to youth.

**Subtitle F. Teen Pregnancy Prevention Fund Establishment Amendment Act of 2015:** continues into FY 2016 the designation of the DC Campaign to Prevent Teen Pregnancy as the grant managing entity for the Teen Pregnancy Prevention Fund.

**Subtitle G. Medicaid Hospital Outpatient Supplemental Payment Act of 2015:** authorizes the District to charge a fee on each hospital's outpatient gross patient revenue beginning October 1, 2015, to be deposited in a new nonlapsing Hospital Provider Fee Fund, and to be used to make Medicaid outpatient hospital access payments and refunds and to pay for administrative funds incurred by the Department of Health Care Finance in an amount not to exceed \$150,000 per year; includes a sunset date of September 30, 2016.

**Subtitle H. Medicaid Hospital Inpatient Rate Supplement Act of 2015:** authorizes the District to charge a fee on the inpatient net patient revenue of each hospital beginning October 1, 2015, to be deposited in a new nonlapsing Hospital Fund, and to be used to fund District Medicaid inpatient fee-for-service and MCO hospital services.

**Subtitle I. Underserved Youth Community Programming Amendment Act of 2015:** provides for grants, totaling \$660,448 in FY 2016, to be administered by the DC Trust, to provide a variety of programs for underserved youth.

**Subtitle J. Reproductive Health Non-Discrimination Clarification Act of 2015:** clarifies that the Human Rights Act of 1977 shall not be construed to require an employer to provide insurance coverage related to reproductive health decision.

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

**Subtitle A. Parking Amendment Act of 2015:** limits the Mayor's authority to increase performance parking zone fees by setting a maximum increase of \$1.50 per hour in a 3-month period and an ultimate cap on the fee at \$8 per hour; establishes a new performance parking pilot zone in the Penn Quarter/Chinatown neighborhood; requires the Mayor to assign existing parking-control and traffic-control officers to implement the pilot program; adjusts parking meter and residential parking permit infraction penalties; amends the time during which the District Department of Transportation ("DDOT") shall provide for enforcement for meters in premium demand zones.

**Subtitle B. Unlawfully Parked Vehicles Amendment Act of 2015:** authorizes the Mayor to enforce parking meter violations at Washington Metropolitan Area Transit Authority ("WMATA")-owned parking lots and facilities.

**Subtitle C. District Department of Transportation DC Streetcar Fare Violation Enforcement Amendment Act of 2015:** authorizes DDOT to enforce fare payment for the DC Streetcar.

**Subtitle D. Vision Zero Pedestrian and Bicycle Safety Fund Establishment Amendment Act of 2015:** establishes the nonlapsing Vision Zero and Pedestrian and Bicycle Safety Fund under DDOT to fund the improve pedestrian and bicycle safety; dedicates \$500,000 per year from automated traffic enforcement fines to the Fund.

**Subtitle E. Sustainable Energy Trust Fund Amendment Act of 2015:** adds \$1.5 million in FY 2016 for the Low Income Heating and Energy Assistance Program to the list of permitted expenditures from the Sustainable Energy Trust Fund under the District Department of the Environment (“DDOE”).

**Subtitle F. Anacostia River Clean Up and Protection Fund Amendment Act of 2015:** amends the Anacostia River Clean Up and Protection Fund to repeal the prioritization of permissible uses of the fund, allowing DDOE more flexibility for Fund programming.

**Subtitle G. Benchmarking Enforcement Fund Establishment Amendment Act of 2015:** creates a new special fund to receive fines related to benchmarking requirements of the Green Building Act; requires the funds to be used for supporting and improving the administrative and practices of the benchmarking program.

**Subtitle H. Bicycle and Pedestrian Advisory Council Term Clarification Amendment Act of 2015:** clarifies that when a new member is appointment to fill a vacancy in the Bicycle Advisory Council or Pedestrian Advisory Council, the appointment is to fill the remaining time in the existing three-year term, not to begin a new three-year term.

**Subtitle I. BID Parking Abatement Fund Act of 2015:** establishes a new special fund to abate parking fees for a Business Improvement District (“BID”) when the BID’s application to reserve street parking space for pedestrian use is accepted.

**Subtitle J. Clean and Affordable Energy Amendment Act of 2015:** amends the Clean and Affordable Energy Act to remove restrictions partially segregating the use of natural gas-related revenues for natural gas-related expenditures and electricity-related revenues for electricity-related expenditures; amends reporting requirements; clarifies that the Sustainable Energy Utility (“SEU”) Advisory Board is not required to review solicitations for future SEU contracts; allows DDOE to use SETF administrative funds for a comprehensive energy plan.

**Subtitle K. Competitive Grants Act of 2015:** requires several grants to be provided pursuant to the terms of the Grant Administration Act of 2015: \$250,000 via DDOE to produce a cost-benefit study on establishing a municipally-owned public electric utility, \$100,000 via the Office on Aging to plan for and develop virtual senior wellness centers in wards that do not currently have senior wellness centers, \$35,000 via DDOT to produce a feasibility study for

aerial transportation linking Georgetown and Rosslyn, and \$100,000 via the DC Taxicab Commission to produce a demand study for wheelchair-accessible service in vehicles-for-hire and recommendations regarding the number of vehicles that should provide such service.

**Subtitle L. Congestion Management Study Amendment Act of 2015:** requires DDOT to publish a congestion management study, with plans for implementing its recommendations, no later than September 30, 2016.

**Subtitle M. Electronic Delivery to the Council and Advisory Neighborhood Commissions Amendment Act of 2015:** removes the requirement for DDOT to send paper notices to the Council and ANCs when the agency modifies traffic signs; requires DDOT to send electronic notice instead; allows ANCs to opt out of the electronic notices and continue to receive paper notices.

**Subtitle N. Green Infrastructure Special Purpose Revenue Funds Establishment Amendment Act of 2015:** establishes two new nonlapsing special funds under DDOT and DGS to take in revenues when those agencies sell stormwater credits or receive other revenues related to stormwater credits; requires the funds to be used for activities related to the District's Municipal Separate Storm Sewer System ("MS4" permit).

**Subtitle O. Pepco Cost-Sharing Fund for DC PLUG Establishment Act of 2015:** makes permanent a nonlapsing special fund under DDOT to pay for undergrounding of electric lines, already established on a temporary basis via Act 20-537.

**Subtitle P. Public Space Rental Fee Waiver Amendment of 2015:** waives public space rental fees for the use of land between Lot 16 Square 3832 and Lot 47, Square 3831.<sup>7</sup>

**Subtitle Q. Streetcar Authorization Amendment Act of 2015:** extends the deadline, from September 30, 2015 to September 30, 2016, for DDOT to produce a comprehensive financial and governance plan for the streetcar system.

**Subtitle R. Sustainable Food Service Ware Clarification Amendment Act of 2015:** amends the Sustainable DC Omnibus Amendment Act of 2014 to define the word "recyclable" and repeal or amend certain duties of the Mayor under that act.

**Subtitle S. Urban Farming and Food Security Amendment Act of 2015:** makes amendments to the Food Production and Urban Gardens Program Act of 1986 and to Chapter 8 of Title 47 of the District of Columbia Official Code to reduce the fiscal impact of the Urban Farming and Food Security Amendment Act of 2014 to a level that is fundable within the Fiscal Year 2016 budget; eliminates the public land leasing initiative; caps the real property tax

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<sup>7</sup> The report of the Committee on Transportation and the Environment on the Fiscal Year 2016 budget for the agencies under its purview indicates that this subtitle is intended to allow Dance Place to use a vacant Kearny Street alley as "an artistic, playable green space."

abatement on urban farms to an annual \$150,000 limit; taxes community gardens at the residential real property tax level; eliminates the tax credits for food donations.

**Subtitle T. Kids Ride Free Metrorail Benefit Amendment Act of 2015:** provides that, subject to available funding,<sup>8</sup> the Mayor may establish a program for students to receive subsidies for the Metrorail Transit System; limits eligibility for the program to DCPS and DCPCS students who are eligible to receive free or reduced-cost lunch at school.

## **TITLE VII. FINANCE AND REVENUE**

**Subtitle A. Subject to Appropriations Amendment Act of 2015:** repeals or amends the subject-to-funding provisions for a number of acts to reflect the fact that they are currently funded or will be funded in the budget and financial plan pursuant to the Fiscal Year 2016 Budget Request Act of 2015:

- Law 19-132, the Unemployed Anti-Discrimination Act of 2012
- Law 20-60, the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013
- Law 20-63, the Cottage Food Act of 2013
- Resolution 20-705, the McMillan-Residential Townhomes Parcel Disposition Approval Resolution of 2014
- Law 20-228, the Public-Private Partnership Act of 2014

**Subtitle B. Prior Budget Act Amendment Act of 2015:** makes a variety of technical and clarifying amendments to provisions of law enacted or amended through Law 20-155, the Fiscal Year 2015 Budget Support Act of 2014; grandfathers recipients of the Employer Assisted Housing Purchase program who closed on properties prior to March 30, 2015, so that those persons do not suddenly lose their expected tax credits; enacts, on a permanent basis, multiple clarifying or technical provisions included in Law 20-179, the Fiscal Year 2015 Budget Support Clarification Temporary Amendment Act of 2014; amends revenue contingencies in Title 47 of the District of Columbia Official Code; extends the local Low Income Housing Tax Credit pilot program into FY 2016; provides for a temporary discretionary waiver of certain requirements of the Healthy Tots Act; repeals the requirement for the CFO to produce a children's budget report; requires Council approval when cumulative reprogrammings change a capital project budget by \$500,000 or more during a fiscal year, instead of during the entire life of a project; revives the Department of Parks and Recreation Enterprise Fund.

**Subtitle C. Parking Tax Contingency Amendment Act of 2015:** provides for a delayed increase to the parking tax, increasing the rate from 18% to 22%, beginning October 1, 2017, unless fiscal year 2015 revenues in the OCFO's June 2015 quarterly revenue estimate are fully sufficient to fund the cost of the FEMS overtime settlement as set forth in Subtitle VII-G, *infra*.

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<sup>8</sup> The Mayor's proposed FY 2016 budget and financial plan includes \$7 million in one-time funds to expand the Kids Ride Free program, but no specific details or enabling legislation were provided.



**Subtitle D. Low Income Credit Act of 2015:** closes a loophole by prorating the low income credit for part-time District residents to limit the use of the credit by persons whose income exceeds the federal minimum income filing requirement.

**Subtitle E. Vapor Produce Amendment Act of 2015:** sets the tax on e-cigarettes and similar vapor products at the same rate as other tobacco products.

**Subtitle F. Notice of Proposed Audit Changes Requirement Act of 2015:** extends the statute of limitations for OTR to complete tax audits once the taxpayer receives notice of the proposed audit findings.

**Subtitle G. Fire and Emergency Medical Services Overtime Settlement Fund Establishment Act of 2015:** requires any increased FY 2015 revenue certified by the CFO in the June 2015 revenue estimate to be deposited in a new nonlapsing Fire and Emergency Medical Services Settlement Fund, to be used to pay costs related to the *District of Columbia Fire Emergency Medical Services Department v. District of Columbia Public Employee Relations Board*.

**Subtitle H. Business Improvement District Technical Amendment Act of 2015:** makes a technical correction to a scrivener's error discovered during the congressional review period for Law 20-161, the DC Business Improvement District Amendment Act of 2013.

**Subtitle I. District of Columbia Depository Expansion Act of 2015:** allows depositories for District government funds to use letters of credit issued by a Federal Home Loan Bank as a form of the collateral required by statute.

**Subtitle J. 4427 Hayes Street, N.E., Real Property Tax Abatement Amendment Act of 2015:** extends the duration of an existing real property tax abatement, currently expiring after 2015, to endure through 2040; reduces the annual amount of the abatement from \$140,000 to \$30,000 per year.

**Subtitle K. Market-based Sourcing Clarification Amendment Act of 2015:** enacts, on a permanent basis, changes made via Law 20-259, the Market-based Sourcing Inter Alia Clarification Temporary Amendment Act of 2015.

**Subtitle L. Real Property Assessment Appointment Clarification Act of 2015:** repeals the position of Public Advocate for Assessments and Taxation, a position that was never filled or funded, and the need for which has been obviated by the establishment of the Office of the Real Property Tax Ombudsman by Law 20-23, the Residential Real Property Equity and Transparency Act of 2013.

**Subtitle M. Southwest Business Improvement District Clarification Amendment Act of 2015:** provides that the total BID tax payable with respect to any property that is an integral

part of a development larger than 5 acres and the owner of which is required to contribute to the maintenance and improvement of roadways and sidewalks adjacent to the property or otherwise associated with the development in lieu of the District having that responsibility shall be reduced by 30% from that which would otherwise be payable with respect to such property, to reflect the reduced services provided by the Southwest BID with respect to the property

**Subtitle N. Unified Economic Development Clarification Act of 2015:** changes the date by which the unified economic development report must be published, from December 31, to March 1, in order to allow data from the Comprehensive Annual Financial Report to be included; transfers from the CFO to the Mayor the duty to transmit an economic development summary within 7 days of transmitting the annual proposed budget and financial plan to the Council.

**Subtitle O. Combined Reporting Clarification Act of 2015 Act of 2015:** clarifies the definition of “tax haven” under the District’s combined reporting statute; provides for updates to the list of tax havens by the Council.

**Subtitle P. Union Market TIF Inducement Act of 2015:** declares Council support for the concept of tax increment financing (“TIF”) for the Union Market development project; requires that any issuance of a TIF note or TIF bonds shall be contingent upon the procedures of the Tax Increment Financing Authorization Act of 1998 being followed, including the negotiation of a development agreement by the Mayor and the developer, and certification by the CFO of the project.

**Subtitle Q. Real Property Tax Transfer Deferral Amendment Act of 2015:** clarifies the law related to senior-citizen real property tax deferrals; provides separate payment deadlines for properties that are or are not subject to inheritance or probate proceedings.

**Subtitle R. National Cherry Blossom Festival Fundraising Match Act of 2015:** provides a one-to-one match of up to \$250,000 in FY 2016 for privately raised funding for the National Cherry Blossom Festival, to be administered by the Washington Convention and Sports Authority.

**Subtitle S. Tregaron Conservancy Tax Exemption and Relief Amendment Act of 2015:** provides that a partial of land, Lot 848, Square 2084, transferred from a private owner to the Tregaron Conservancy be exempt from real property taxes, and the transfer of the property be exempt from the recordation tax and the transfer tax.

## **TITLE VIII. CAPITAL BUDGET**

**Subtitle A. Fiscal Year 2016 Capital Project Reallocation Approval Act of 2015:** authorizes the reallocation of roughly \$165 million in general obligation/income-tax secured

bond proceeds among existing capital projects to maximize the use of borrowed debt and reduce the District's borrowing costs

**Subtitle B. McMillan Redevelopment Proceeds Amendment Act of 2015:** requires that proceeds of McMillan Sand Filtration Site disposition be deposited into the capital fund account associated with the McMillan redevelopment, as contemplated by the development agreement, instead of being deposited into the unrestricted balance of the General Fund.

**Subtitle C. Department of Transportation Capital Budget Allocation Authority Amendment Act of 2015:** allows DDOT to request that the Office of Budget and Planning within OCFO shift budget from Highway Trust Fund subprojects back to the master project, thus reallocating excess budget authority to subprojects that need it.

**Subtitle D. Pay-as-you-go Capital Account Amendment Act of 2015:** delays, from 2016 to 2019, the dedication of 25% of year-over-year revenue growth into the Paygo Capital Account to fund the Integrated Premium Transit System.

**Subtitle E. Fiscal Year 2016 Capital Rescission Act of 2015:** rescinds capital budget allotment or authority to account for capital budget shifts as set forth in the report of the Committee of the Whole on the Fiscal Year 2016 Budget Request Act.

**Subtitle F. 11th Street Bridge Park Funding Limitations Act of 2015:** prohibits the use of District funds for the purpose of operations or maintenance of the 11<sup>th</sup> Street Bridge Park; provides that no funds allocated for the Park may be awarded or disbursed for purposes of construction until at least 50 percent of the total projected construction costs of the project have been raised from private donors.

## **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS**

**Subtitle A. Local and Special Purpose Revenue Fund Amendment Act of 2015:** repeals the Fraud Prevention Fund, which has not received any revenues and has not funded any expenditures since its establishment; clarifies the use of the Council Technology Projects Fund and its administration.

**Subtitle B. Designated Fund Transfer Act of 2015:** orders the transfer fund balance or revenue from certain special funds in FY 2015, to be recognized as local funds revenue in the FY 2016 Budget and Financial Plan.

**TITLE X. FISCAL IMPACT AND EFFECTIVE DATE:** sets forth the applicability provision, fiscal impact, and effective date of the act.

## **IX. COMMITTEE ACTION**

[To be added.]


## **X. ATTACHMENTS**

1. Bill 21-158 as introduced.
2. Fiscal impact statement for Bill 21-158.
3. Legal sufficiency determination.
4. Committee print of Bill 21-158.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington, D.C. 20004**

**MEMORANDUM**

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**To:** Members of the Council  
  
**From:** Nyasha Smith, Secretary to the Council  
**Date:** April 9, 2015  
**Subject:** Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, April 2, 2015. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2016 Budget Support Act of 2015", B21-158

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole with comments from standing committees on the specific subtitle indicated below:

**COMMITTEE LEGEND**

BCRA	BUSINESS, CONSUMER AND REGULATORY AFFAIRS
COW	COMMITTEE OF THE WHOLE
E	EDUCATION
FR	FINANCE AND REVENUE
HHS	HEALTH AND HUMAN SERVICES
HCD	HOUSING AND COMMUNITY DEVELOPMENT
J	JUDICIARY
TE	TRANSPORTATION AND THE ENVIRONMENT

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION .....	COW
SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT .....	COW
SUBTITLE C. OFFICE OF LGBT AFFAIRS AMENDMENT .....	HCD
SUBTITLE D. APPOINTMENT TERM AMENDMENT .....	COW, J, E, BCRA
SUBTITLE E. ATTORNEY GENERAL AND MAYOR'S OFFICE OF LEGAL COUNSEL .....	J

**TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

SUBTITLE A. DSLBD MICRO-LOAN AMENDMENT .....	BCRA
SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT .....	BCRA
SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT .....	COW
SUBTITLE D. CREATIVE AND OPEN SPACE MODERNIZATION AMENDMENT .....	FR, COW
SUBTITLE E. DMPED LIMITED GRANT-MAKING AUTHORITY AMENDMENT .....	COW
SUBTITLE F. YOUTH EMPLOYMENT AND WORK READINESS TRAINING AMENDMENT .....	BCRA
SUBTITLE G. LOCAL RENT SUPPLEMENT AMENDMENT .....	HCD
SUBTITLE H. MANUFACTURER'S SIDEWALK CAFÉ AND SUMMER GARDEN ENDORSEMENT AMENDMENT .....	BCRA
SUBTITLE I. ENTERTAINMENT AND MEDIA PRODUCTION AND DEVELOPMENT AMENDMENT .....	BCRA

**TITLE III. PUBLIC SAFETY AND JUSTICE**

SUBTITLE A. BODY-WORN CAMERA PRIVACY AMENDMENT .....	J
SUBTITLE B. OAH ADMINISTRATIVE LAW JUDGE TERM LIMIT AMENDMENT .....	J
SUBTITLE C. CHILD FATALITY REVIEW COMMITTEE AMENDMENT .....	J
SUBTITLE D. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE .....	J
SUBTITLE E. FEMS MEDICAL DIRECTOR LIABILITY AMENDMENT .....	J

**TITLE IV. PUBLIC EDUCATION**

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT .....	E
SUBTITLE B. SCHOOLS TECHNOLOGY FUND .....	E
SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND .....	E
SUBTITLE D. AT-RISK WEIGHT PRESERVATION FUND ESTABLISHMENT .....	E
SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT.....	E
SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT.....	E
SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION AMENDMENT.....	E

**TITLE V. HEALTH AND HUMAN SERVICES**

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT.....	HHS
SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS .....	HHS

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

SUBTITLE A. PERFORMANCE PARKING ZONE AMENDMENT .....	TE
SUBTITLE B. UNLAWFULLY PARKED VEHICLES AMENDMENT.....	TE
SUBTITLE C. DDOT STREETCAR ENFORCEMENT AMENDMENT .....	TE
SUBTITLE D. VISION ZERO FUND ESTABLISHMENT.....	TE
SUBTITLE E. DISTRICT OF COLUMBIA LOCAL TRANSIT COMMITTEE AMENDMENT.....	TE
SUBTITLE F. SUSTAINABLE ENERGY TRUST FUND AMENDMENT .....	TE

**TITLE VII. FINANCE AND REVENUE**

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS ..... E  
SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS .....COW  
SUBTITLE C. SALES TAX AMENDMENT ..... FR  
SUBTITLE D. MARRIED FILING SEPARATELY STANDARD DEDUCTION AMENDMENT ..... FR  
SUBTITLE E. LOW INCOME CREDIT AMENDMENT ..... FR  
SUBTITLE F. VAPOR PRODUCT AMENDMENT ..... FR, HHS  
SUBTITLE G. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT ..... FR  
SUBTITLE H. FISCAL YEAR 2015 FIRE AND EMERGENCY MEDICAL SERVICES  
DEPARTMENT SETTLEMENT ACT ..... COW, J

**TITLE VIII. CAPITAL BUDGET**

SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL.....COW  
SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT.....COW  
SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY AMENDMENT ....TE, COW  
SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT.....COW

**TITLE IX. ADDITIONAL REVENUE CONTINGENCY LIST**

SUBTITLE A. REVISED REVENUE ESTIMATE CONTINGENCY PRIORITY LIST .....COW

**TITLE X. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS**

SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS .....COW  
SUBTITLE B. DESIGNATED FUND TRANSFERS.....COW

Attachment

cc: General Counsel  
Budget Director  
Legislative Services





OFFICE OF THE  
SECRETARY  
2015 APR -2 PM 4:52

**MURIEL BOWSER**  
MAYOR

April 2, 2015

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the District of Columbia Fiscal Year 2016 Budget and Financial Plan, entitled "Pathways to the Middle Class." Included in the submission you will find the "Fiscal Year 2016 Budget Request Act of 2015" and the "Fiscal Year 2016 Budget Support Act of 2015".

This proposal is the District of Columbia's twentieth consecutive balanced budget and represents a Fresh Start. As you know, the District faced a budget gap of \$193 million for FY 2016. This budget solves the gap and funds initiatives to prioritize affordable housing, preserve funding for education and public safety, and make investments to put DC on a path to end homelessness and improve our aging infrastructure. Each of these items was a key priority identified by District residents at the Mayor's public engagement forums held during the budget formulation process.

There are five overarching values that guide this budget and provide pathways to the middle class. These are improving: Education; Economic Opportunity; Public Safety; Neighborhoods; and the Environment and Infrastructure. Making investments in these priority areas will help ensure that our residents have a clearly defined pathway to the middle class and that DC remains a great place to live, work and play.

Below are some of the key investments in the FY 2016 Budget that help us to reach those goals:

**Education**

The FY 2016 budget ensures that funding for public education remains a top priority for the District and includes:

- \$31.4 million for increased enrollment at both DC Public Schools and DC public charter schools.

- \$317.3 million to modernize our elementary, middle and high school facilities.
- \$200,000 to expand the community schools model – which provides non-instructional wrap-around services to school children and their families to help them succeed — to an additional school.

### **Economic Opportunity**

The FY 2016 budget makes investments to enhance job training services for our youth and helps put DC on a path toward ending homelessness for some of our most vulnerable families and individuals and includes:

- \$5.2 million to continue the expansion of the Marion Barry Summer Youth Employment Program by expanding the program to cover 21-24 year olds, raising the hourly wage to \$8.25 per hour for 16-21 year olds, and providing 6 weeks of transportation subsidies.
- \$1.5 million to expand career exploration, paid work experiences, self-advocacy training and work readiness training for high school students with disabilities.
- \$44.9 million in both capital and operating funds to create new family shelter options to replace DC General.
- \$13.7 million to begin funding DC's strategic path to end homelessness including funds for new prevention and rapid re-housing assistance for families and individuals, permanent supportive housing for families and individuals, targeted affordable housing units and a new daytime center for individuals to obtain social, housing, and employment supports.

### **Neighborhoods**

The FY 2016 budget makes significant investments in affordable housing and neighborhood infrastructure to ensure our neighborhoods are affordable and attractive places to call home. This includes:

- Additional investment to the Housing Production Trust Fund that will provide \$100 million in resources to help create and preserve low- and moderate-income housing.
- \$166 million in capital funds over six years to upgrade alleys, sidewalks, and roads.
- \$2.4 million to provide rental assistance to low-income individuals and families.

### **Public Safety**

The FY 2016 budget makes important investments in our front-line public safety workers with:

- \$5.1 million to increase the number of body-worn cameras for Metropolitan Police Department patrol officers.
- \$2.9 million to hire 48 new civilian positions within the Metropolitan Police Department, allowing more sworn officers to move from the desk to the street.
- \$2.5 million for a new Police Officers' Retention Pilot Program.

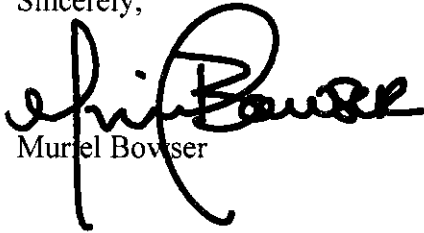
### **Environment and Infrastructure**

The FY 2016 budget also includes important investments to improve our infrastructure including:

- \$323.4 million to fully fund the District's contribution to the Washington Metropolitan Area Transit Authority (WMATA) to prevent increases in fares or service reductions to Metrorail and Metrobus service.
- \$7.0 million to expand the Kids Ride Free program to Metrorail.

I look forward to the Council's review of this proposal and to working together to finalize and execute our budget for Fiscal Year 2016. Together, I know that we can work to help residents in every ward advance by ensuring they have the tools and resources they need to succeed, right here in the District.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with the first name "Muriel" written in a larger, more prominent script than the last name "Bowser".

Muriel Bowser



Chairman Phil Mendelson  
at the request of the Mayor

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

Chairman Phil Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

To enact and amend provisions of law necessary to support the Fiscal Year 2016 budget.

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

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

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

Sec. 1001. Short title.

This subtitle may be cited as the "Bonus and Special Pay Limitation Act of 2015".

Sec. 1002. Bonus and special pay limitations.

(a) For fiscal year 2016, no funds shall be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

- (1) Retirement awards;
- (2) Hiring bonuses for difficult-to-fill positions;
- (3) Additional income allowances for difficult-to-fill positions;
- (4) Agency awards or bonuses funded by private grants or donations;

1 (5) Employee awards pursuant to section 1901 of the District of Columbia  
2 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law  
3 139; D.C. Official Code § 1-619.01);

4 (6) Safe driving awards;

5 (7) Gainsharing incentives in the Department of Public Works;

6 (8) Suggestion/invention awards;

7 (9) Quality steps;

8 (10) Salary incentives negotiated through collective bargaining; or

9 (11) Any other award or bonus required by an existing contract or collective  
10 bargaining agreement that was entered into prior to the effective date of this subtitle.

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

14 (c) Notwithstanding any other provision of law, no restrictions on the use of funds to  
15 support the categories of special awards pay (comptroller subcategory 0137) or bonus pay  
16 (comptroller subcategory 0138) shall apply in fiscal year 2016 to employees of the District of  
17 Columbia Public Schools who are based at a local school or who provide direct services to  
18 individual students.

19 (d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney  
20 General shall pay employees of the Office of the Attorney General all performance allowance  
21 payments to which they are entitled or may become entitled under any approved compensation  
22 agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the  
23 American Federation of Government Employees, Local 1403, AFL-CIO for the period from

1 October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the  
2 requirements of section 857 of the District of Columbia Government Comprehensive Merit  
3 Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-  
4 608.57), which requires the Attorney General's performance management system to link pay to  
5 performance.

6 (e) Notwithstanding this subtitle of law, the Office of the Attorney General and the  
7 subordinate agencies shall pay their employees all performance allowance payments to which  
8 they are entitled

#### 9 **SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT**

10 Sec. 1011. Short title.

11 This subtitle may be cited as the "Supply Management Amendment Act of 2015".

12 Sec. 1012. The District of Columbia Procurement Practices Reform Act of 2010,  
13 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as  
14 follows:

15 (b) Section 803 (D.C. Official Code § 2-358.03) is amended to read as follows:

16 "Sec. 803. Electronic inventory control system for surplus property.

17 "(a) The CPO shall establish an electronic inventory control system to monitor all  
18 surplus property. The system shall contain the following information:

19 "(1) The date of the receipt of the surplus property;

20 "(2) The agency or organization from which the surplus property was received;

21 "(3) A description of the surplus property, including quantity and condition;

22 "(4) A photograph of the surplus property; and

23 "(5) The estimated value of the surplus property."

1 (c) A new section 802a is added to read as follows:

2 “Sec. 802a. Surplus property disposition agreements.

3 “(a) The CPO may enter into an agreement with a District agency, including an  
4 independent agency, or a public charter school to sell its surplus goods.

5 “(b) OCP may charge an administrative fee of 6% of gross proceeds for the sale of  
6 surplus property sold pursuant to an agreement entered into under this section. The  
7 administrative fees shall be deposited into the Personal Property Sales Fund established by  
8 section 805.”.

9 (d) A new section 805 is added to read as follows:

10 “Sec. 805. Surplus Property Sales Fund.

11 “(a) There is established as a special fund the Surplus Property Sales Fund (“Fund”),  
12 which shall be administered by the CPO in accordance with subsection (c) of this section.

13 “(b) There shall be deposited into the Fund:

14 “(1) Administrative fees collected pursuant to an agreement entered into pursuant  
15 to section 802a; and

16 “(2) Proceeds from the sale of surplus property by OCP.

17 “(c) Money in the Fund shall be used to pay the administrative costs of maintaining and  
18 disposing of surplus property, including the costs of online auctions.

19 (d) All funds in the Fund shall be lapsing.”.

20 **SUBTITLE C. OFFICE OF LGBT AFFAIRS AMENDMENT**

21 Sec. 1021. Short title.

22 This subtitle may be cited as the “Office of Gay, Lesbian, Bisexual, Transgender, and  
23 Questioning Affairs Amendment Act of 2015”.

1           Sec. 1022. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006,  
2   effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381 *et seq.*) is amended as  
3   follows:

4           (a) Section 2 (D.C. Official Code § 2-1381) is amended as follows:

5                 (1) Paragraph (1) is amended by striking the phrase “Office of Gay, Lesbian,  
6   Bisexual, and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual,  
7   Transgender, and Questioning Affairs” in its place.

8                 (2) Paragraph (2) is amended to read as follows:

9                 “(2) “Lesbian, gay, bisexual, transgender, and questioning” means individuals  
10   who identify themselves as lesbian, gay, bisexual, or transgender or are questioning or exploring  
11   their sexuality or sexual identity, or are concerned about applying a social label to themselves  
12   related to their sexuality or sexual identity and who are residents of the District of Columbia.

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

14                “(2A) “LGBTQ” means “lesbian, gay, bisexual, transgender, and questioning.”.

15                (4) Paragraph (3) is amended by striking the phrase “Office of Gay, Lesbian,  
16   Bisexual, and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual,  
17   Transgender, and Questioning Affairs” in its place.

18           (b) Section 3 (D.C. Official Code § 2-1382) is amended by striking the phrase “Office of  
19   Gay, Lesbian, Bisexual, and Transgender Affairs (“Office)” and inserting the phrase “Office of  
20   Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs (“Office”))” in its place.

21           (c) Section 4 (D.C. Official Code § 2-1383) is amended as follows:

22                (1) Subsection (a)(1) is amended by striking the phrase “full-time” and inserting  
23   the phrase “full time” in its place.



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

2 (A) Paragraph (1) is amended by striking the phrase “gay, lesbian,  
3 bisexual and transgender community” and inserting the phrase “lesbian, gay, bisexual,  
4 transgender, and questioning community” in its place.

5 (B) Paragraph (3) is amended by striking the phrase “Gay, Lesbian,  
6 Bisexual and Transgender community” and inserting the phrase “lesbian, gay, bisexual,  
7 transgender, and questioning community” in its place.

8 (C) Paragraph (8) is amended by:

9 (i) Striking the phrase “Gay, Lesbian, Bisexual and Transgender  
10 Program Coordinators” and inserting the phrase “Lesbian, Gay, Bisexual, Transgender, and  
11 Questioning Coordinators” in its place; and

12 (ii) Striking the phrase “gay, lesbian, bisexual and transgender  
13 community” and inserting the phrase “lesbian, gay, bisexual, transgender, and questioning  
14 community” in its place.

15 (D) Paragraph (9) is amended by striking the phrase “Gay, Lesbian,  
16 Bisexual and Transgender Program Coordinator” and inserting the phrase “Lesbian, Gay,  
17 Bisexual, Transgender, and Questioning Coordinator” in its place

18 (E) Paragraph (10) is amended by:

19 (i) Striking the phrase “Gay, Lesbian, Bisexual and Transgendered  
20 program coordinator” and inserting the phrase “Lesbian, Gay, Bisexual, Transgender, and  
21 Questioning Coordinator” in its place; and

1 (ii) Striking the phrase “gay, lesbian, bisexual and transgender  
2 health” and inserting the phrase “lesbian, gay, bisexual, transgender, and questioning health” in  
3 its place.

4 (c) Section 4a(a) (D.C. Official Code § 2-1384(a)) is amended by striking the phrase  
5 “Office of Gay, Lesbian, Bisexual and Transgender Affairs” and inserting the phrase “Office of  
6 Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs” in its place.

#### 7 **SUBTITLE D. APPOINTMENT TERM AMENDMENT**

8 Sec. 1031. Short title.

9 This subtitle may be cited as the “Appointment Term Amendment Act of 2015”.

10 Sec. 1032. Section 203(e) and (f) of the Procurement Practices Reform Act of 2010,  
11 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.03(e) and (f)), are  
12 repealed.

13 Sec. 1033. Section 7 of the Office of Administrative Hearings Establishment Act of 2001,  
14 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.04), is amended as  
15 follows:

16 (a) Subsection (b)(2) is repealed.

17 (b) Subsection (d) is amended to read as follows:

18 “(d) At the conclusion of at least 2 years of service, the Chief Administrative Law Judge  
19 shall have the right to assume a position as a full-time or part-time Administrative Law Judge for  
20 a full term; provided, that he or she shall have no such right if he or she was removed from office  
21 for cause, or if the Mayor makes a written finding within 60 days of the effective date of the  
22 Chief Administrative Law Judge’s resignation, that cause for removal existed at or before the  
23 conclusion of his or her period of service.”.

1           Sec. 1034. Section 2903(e) and (f) of the Establishment of the Office of the Chief  
2   Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official  
3   Code § 5-1402(e) and (f)), are repealed.

4           Sec. 1035. Section 4(d) and (e) of the Department of Forensic Sciences Establishment of  
5   2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.03(d) and (e)),  
6   are repealed.

7           Sec. 1036. Section 2(b) of the State Education Office Establishment Act of 2000,  
8   effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601) is amended by  
9   striking the sentence “The Officer shall serve a 4-year term.”.

10          Sec. 1037. Section 2066(b) of the Office of the Chief Tenant Advocate Establishment Act  
11   of 2005, effective October 1, 2007 (D.C. Law 16-181; D.C. Official Code § 42-3531.06(b)), is  
12   amended to read as follows:

13          “(b) The Chief shall be appointed by the Mayor.”.

14          **SUBTITLE E. ATTORNEY GENERAL AND MAYOR’S OFFICE OF LEGAL**  
15   **COUNSEL**

16          Sec. 1041. Short title.

17          This subtitle may be cited as the “Elected Attorney General and Mayor’s Office of Legal  
18   Counsel Clarification Amendment Act of 2015”.

19          Sec. 1042. Preamble.

20          (a) The Mayor and Council of the District of Columbia find that it is in the public  
21   interest that the Government of the District of Columbia incorporate the principles of democracy,  
22   including shared responsibility, accountability, and checks and balances in the exercise of power.

1 (b) These principles are incorporated in this subtitle of the Budget Support Act, which  
2 clarifies that the relationship of the Attorney General and Mayor is that of attorney and client.

3 Sec. 1043. The District of Columbia Government Comprehensive Merit Personnel Act of  
4 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is  
5 amended as follows:

6 (a) Section 851a (D.C. Official Code § 1-608.51a), is amended as follows:

7 (1) Subsection (b)(1) is amended as follows:

8 (A) A new subparagraph (A-1) is added to read as follows:

9 “(A-1) Overseeing and supervising the legal work of subordinate agency  
10 counsel;”

11 (B) A new subparagraph (B-1) is added to read as follows:

12 “(B-1) Providing legal sufficiency reviews of legislation, regulations, and  
13 contracts, at the request of the Mayor; provided, the Attorney General may also provide such  
14 reviews at the request of the Mayor;”

15 (b) Section 852 (D.C. Official Code § 1-608.52) is amended by striking the phrase  
16 “General Counsels” and inserting the phrase “general counsels” in its place.

17 (c) Section 855 (D.C. Official Code § 1-608.55) is amended as follows:

18 (1) Subsection (a-1) is amended by inserting the phrase “; provided, the legal  
19 work of such attorneys shall be under the direction, supervision, and control of the Director of  
20 the Mayor’s Office of Legal Counsel” after the phrase “subordinate agency”.

21 (2) Subsection (d) is amended by striking the phrase “General Counsel” and  
22 inserting the phrase “general counsel” in its place

1 (c) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the phrase  
2 “General Counsel” and inserting the phrase “general counsel” in its place.

3 Sec. 1044. The Attorney General for the District of Columbia Clarification and Elected  
4 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code  
5 § 1-301.81 *et seq.*), is amended as follows:

6 (a) Section 101 (D.C. Official Code § 1-301.81) is amended as follows:

7 (1) Subsection (a) is amended by adding a new paragraph (1A) to read as  
8 follows:

9 “(1A) In all law business carried out by the Attorney General, the relationship  
10 between the District government and the Attorney General shall be as client to attorney.

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

12 “(c) The Attorney General may delegate any of his or her authority to a subordinate  
13 under his or her jurisdiction or to another office or agency, subject to the consent of the office or  
14 agency; provided, the Attorney General may not delegate his or her authority to issue formal  
15 opinions.”.

16 (b) Section 102 (D.C. Official Code § 1-301.82) is repealed.

17 (c) Section 105(a) (D.C. Official Code § 1-301.85(a)) is repealed.

18 (d) A new section 106b is added to read as follows:

19 “Sec. 106b. Personnel and procurement authority.

20 “(a) As set forth in the District of Columbia Comprehensive Merit Personnel Act of  
21 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-601.01 *et seq.*)  
22 (“CMPA”), the Attorney General shall be the personnel authority for the Office of the Attorney

1 General. The Attorney General's exercise of this authority shall be subject to those provisions of  
2 the CMPA that are applicable to the Mayor, unless specifically exempted by District law.

3 “(b) As set forth in the Procurement Practices Reform Act of 2010, effective April 8,  
4 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Attorney General shall have  
5 procurement authority independent of the Chief Procurement Officer; provided, the procurement  
6 authority of the Attorney General shall be subject to the provisions of the PPRA that are  
7 applicable to procurements carried out by the Chief Procurement Officer, unless specifically  
8 exempted by District law.”.

9 Sec. 1045. The District of Columbia Comprehensive Merit Personnel Act of 1978,  
10 effective March 3, 1978 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as  
11 follows:

12 (a) Section 202(1) (D.C. Official Code § 1-602.02(1)) is amended to read as follows:

13 “(1) The Mayor, each member of the Council of the District of Columbia, and the  
14 Attorney General are entitled to pay, as provided in section 1109 of this act, in accordance with  
15 the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act,  
16 approved December 24, 1973 (87 Stat. 787; D.C. Official Code §§ 1-204.21(d) and 1-204.03(a)),  
17 and section 105 of the Attorney General of the District of Columbia Clarification and Elected  
18 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code  
19 § 1-301.85). The Mayor, each member of the Council of the District of Columbia, and the  
20 Attorney General may participate in personnel benefit programs authorized in titles XXI, XXII,  
21 XXIII, and XXVI of this act, and are covered by the provisions of subchapters XVIII, XXV,  
22 XXIX, XXX, and XXXI of this act and section 408 of this act.”.

23 (b) Section 301 (D.C. Official Code § 1-603.01) is amended as follows:

1 (1) Paragraph (13) is amended by striking the sentence “For the purposes of this  
2 act, the Council of the District of Columbia shall be considered an independent agency of the  
3 District of Columbia.” and inserting the sentence “For the purposes of this act, the Council of the  
4 District of Columbia and the Office of the Attorney General for the District of Columbia shall be  
5 considered independent agencies of the District of Columbia.” in its place.

6 (2) Paragraph (17)(D) is repealed.

7 (c) Section 406(b) is amended by adding a new paragraph (3B) to read as follows:

8 “(3B) For employees of the Office of the Attorney General, the personnel  
9 authority is the Attorney General.”.

10 (d) Section 903(a) (D.C. Official Code § 1-609.03(a)) is amended by adding a new  
11 paragraph (2A) to read as follows:

12 “(2A) The Attorney General may appoint no more than 30 persons;”

13 (e) Section 1109 (D.C. Official Code § 1-611.09) is amended as follows:

14 (1) The section heading is amended to read as follows:

15 “Sec. 1109. Compensation — Mayor, members of the Council, and Attorney General.”

16 (2) A new subsection (b-1) is added to read as follows:

17 “(b-1) In accordance with section 105 of the Attorney General for the District of  
18 Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010  
19 (D.C. Law 18-160; D.C. Official Code § 1-301.85), the Attorney General shall receive  
20 compensation in an amount equal to the Chairman of the Council.”.

21 (f) Section 1715(a) (D.C. Official Code § 1-617.15(a)) is amended by striking the phrase  
22 “or in the case of employees of the District of Columbia Board of Education or the Board of  
23 Trustees of the University of the District of Columbia, by the respective Boards” and inserting

1 the phrase “or in the case of employees of the Office of the Attorney General, the District of  
2 Columbia Board of Education, or the Board of Trustees of the University of the District of  
3 Columbia, by the Attorney General or the respective Board” in its place.

4 (g) Section 1716(a) (D.C. Official Code § 1-617.16(a)) is amended by striking the phrase  
5 “The Mayor” and inserting the phrase “The Mayor, the Attorney General for employees of the  
6 Office of the Attorney General,” in its place.

7 (h) Section 1901(a) (D.C. Official Code § 1-619.01(a)) is amended by striking the phrase  
8 “The Mayor” and inserting the phrase “The Mayor, the Attorney General” in its place.

9 (i) Section 2801 (D.C. Official Code § 1-628.01) is amended by striking the phrase “The  
10 Mayor” and inserting the phrase “The Mayor, the Attorney General” in its place.

11 Sec. 1046. Section 201 of the Procurement Practices Reform Act of 2010, effective April  
12 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

13 (b) Section 201 (D.C. Official Code § 2-352.01) is amended as follows:

14 (1) Subsection (b) is amended as follows:

15 (A) Paragraph 10 is amended by striking the word “and”.

16 (B) Paragraph 11 is amended by striking the period at the end and  
17 inserting the phrase “; and” in its place.

18 (C) A new paragraph (12) is added to read as follows:

19 “(12) The Office of the Attorney General.”.

20 (2) Subsection (c) is amended by striking the phrase “The Office of the Attorney  
21 General and the Inspector General” and inserting the phrase “The Inspector General” in its place.

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



1           **SUBTITLE A. DSLBD MICRO LOAN AMENDMENT**

2           Sec. 2001. Short title.

3           This subtitle may be cited as the “Department of Small and Local Business Development  
4 Micro Loan Fund Amendment Act of 2015”.

5           Sec. 2002. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise  
6 Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C.  
7 Code § 2-218.75) is amended as follows:

8           (a) The section heading is amended to read as follows:

9           “Sec. 2375. Small Business Capital Access Fund.”.

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

11          “(a) For the purposes of this section, the term:

12          “(1) “Eligible recipient” means a business certified, or eligible to be certified, as a small  
13 business enterprise pursuant to section 2332 or a disadvantaged business enterprise pursuant to  
14 section 2333.

15          (2) “Fund” means the Small Business Capital Access Fund.

16          (c) Subsection (b) is amended by striking the phrase “Micro Loan” and inserting the  
17 phrase “Capital Access” in its place.

18          (d) Subsection (d)(1) is amended to read as follows:

19          “(1) Eligible recipients that are certified as certified business enterprises, as  
20 defined in section 2302(1D), with additional preference provided to eligible recipients that are  
21 also certified as resident-owned business enterprises pursuant to section 2335; or”.

22           **SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT**

23           Sec. 2011. Short title.

1           This subtitle may be cited as the “Apprenticeship Modernization Amendment Act of  
2 2015”.

3           Sec. 2012. An Act to provide for voluntary apprenticeship in the District of Columbia,  
4 effective May 21, 1946, (60 Stat. 204, ch. 267; D.C. Official Code § 32-1401 *et seq.*) is amended  
5 as follows:

6           (a) Section 1 (D.C. Official Code § 32-1401) is amended to read as follows:

7           “Sec. 1. Purpose

8           It is the purpose of this act to:

9           “(1) Open to District of Columbia residents the opportunity to obtain training that will  
10 equip them for profitable employment and citizenship;

11           “(2) Establish, as a means to this end, a program of voluntary apprenticeship under  
12 approved apprenticeship agreements providing facilities for the training and guidance of  
13 apprentices in the arts and crafts of industry and trade, with parallel instruction in related and  
14 supplementary education;

15           “(3) Promote employment opportunities for young people under conditions providing  
16 adequate training and reasonable earnings;

17           “(4) Relate the supply of skilled workers to employment demands;

18           “(5) Establish standards for apprenticeship training;

19           “(6) Establish an Apprenticeship Council;

20           “(7) Provide for the establishment of local joint trade apprenticeship committees and non-  
21 joint committees to assist in effectuating the purposes of this act;

22           “(8) Provide for an Associate Director of apprenticeship within the District of Columbia;

1           “(9) Provide the reports be submitted to the Council of the District of Columbia and to  
2 the public regarding the status of apprenticeship in the District of Columbia;

3           “(10) Establish a procedure for the determination of apprenticeship agreement  
4 controversies; and

5           “(11) Accomplish related purposes.”.

6           (b) Section 2 (D.C. Official Code § 32-1402) is amended as follows:

7           (1) Strike the phrase “Superintendent of Schools” and insert the word “Chancellor” in its  
8 place.

9           (2) Insert the sentence “At the end of a term, a member shall continue to serve until a  
10 successor is appointed and sworn into office.” after the phrase “for the remainder of said term.”. .

11           (3) Strike the sentence “The compensation of each member not otherwise compensated  
12 by public money shall be paid not more than \$ 25 per day for each day spent in attendance at  
13 meetings of the Apprenticeship Council; provided, however, that any applicable laws passed by  
14 the Council of the District of Columbia shall supersede the provisions of this section.”.

15           (c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows:

16           “Sec. 3. Associate Director of Apprenticeship.

17           “(a) The Director of the Department of Employment Services shall appoint an Associate  
18 Director of Apprenticeship whose office shall have responsibility and accountability for the  
19 apprenticeship system in the District of Columbia. The Office of apprenticeship, Information  
20 and Training, which shall be known as the Registration Agency, shall have the authority to  
21 approve apprenticeship registration for federal purposes.

1           “(b) The Office of Apprenticeship, Information and Training is authorized to supply the  
2 Associate Director of Apprenticeship or the Apprenticeship Council with the clerical, technical,  
3 and professional assistance considered essential to effectuate the purposes of this act.”.

4           (d) Section 4 (D.C. Official Code § 32-1404) is amended as follows:

5                   (1) Strike the word “Director” and insert the phrase “Associate Director of  
6 Apprenticeship” in its place.

7                   (2) Strike the phrase “Secretary of Labor” and insert the phrase “Director of the  
8 Department of Employment Services” in its place.

9                   (3) Strike the sentence “Not less than once every 2 years the Apprenticeship  
10 Council shall make a report through the Mayor of its activities and findings to Congress and to  
11 the public.”

12                   (4) Insert the sentence “Once every year the Registration Agency shall make a  
13 report through the Mayor of its findings and activities to the Council of the District of Columbia  
14 and to the public.” at the end.

15           (e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows:

16           “Sec. 5. Associate director.

17           “The Associate Director of Apprenticeship, under the supervision of the Director of the  
18 Department of Employment Services and with the advice and guidance of the Apprenticeship  
19 Council, shall:

20           “(1) Administer the provisions of this act in cooperation with the Apprenticeship Council,  
21 local joint apprenticeship committees, and non-joint apprenticeship committees to develop  
22 criteria and training standards for apprentices, which shall in no case be lower than those  
23 required by this act;

1           “(2) Act as secretary of the Apprenticeship Council;

2           “(3) Approve, if approval is in the best interest of the apprentice, any apprentice  
3 agreement that meets the standards established by or in accordance with this act;

4           “(4) Terminate or cancel any apprenticeship agreement in accordance with the provisions  
5 of the apprenticeship agreement;

6           “(5) Engage with the State Board of Education and area community colleges on the  
7 administration and supervision of related and supplemental instruction for apprentices to ensure  
8 coordination of the instruction with job experiences; and

9           “(6) Perform such other duties as necessary to carry out the intent of this act.”.

10          (f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows:

11          “Sec. 6. Apprenticeship committees.

12          “(a) Local joint apprenticeship committees and non-joint apprenticeship committees in  
13 any trade or group of trades may be submitted to the Registration Agency for approval. Such  
14 Apprenticeship committees shall be composed of an equal number of employer and employee  
15 representatives appointed by the groups or organizations they represent, or the committee may  
16 consist of the employer and not less than 2 representatives from the recognized bargaining  
17 agency.

18          “(b) In a trade or group of trades in which there is no bona fide employee organization,  
19 the Registration Agency, with the advice and guidance of the Apprenticeship Council, may  
20 approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also  
21 referred to as a unilateral or group non-joint committee).

22          “(c) Subject to the approval of the Registration Agency, and in accordance with standards  
23 established by or under authority of this act, joint trade apprenticeship committees and non-joint

1 apprenticeship committees may develop standards to govern the training of apprentices and give  
2 such aid as may be necessary to effectuate the standards.”.

3 (g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows:

4 “Sec. 7. Definition of apprentice.

5 “For the purposes of this act, the term “apprentice” means a worker at least 16 years of  
6 age, except when a higher minimum age standard is otherwise fixed by law, who is employed to  
7 learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and  
8 who has entered into a written apprenticeship agreement, which contains the terms and  
9 conditions of the employment and training of the apprentice, with either the apprentice’s  
10 program sponsor or an apprenticeship committee acting as agent for the program sponsor.”.

11 (h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows:

12 “Sec. 8 Apprenticeship agreements – contents.

13 “Every apprenticeship agreement entered into pursuant to this act shall contain:

14 “(1) The names and signatures of the contracting parties, including the  
15 apprentice’s parent or guardian, if the apprentice is a minor, and the contact information of the  
16 program sponsor and the Registration Agency:

17 “(2) The date of birth of the apprentice and social security number, given on a  
18 voluntary basis;

19 “(3) A statement of the craft or occupation that the apprentice is to be taught and  
20 the time period at which the apprenticeship will begin and end;

21 “(4) A statement showing:

22 “(A) The number of hours to be spent by the apprentice in on-the-job  
23 learning in a time-based program;

“(B) A description of the skill sets to be attained by completion of a competency-based program, including the on-the-job learning component; or

“(C) The minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid program; and

“(D) Provisions for related and supplemental instruction;

“(5) A statement setting forth a schedule of the processes in the occupation or industry division in which the apprentice is to be trained and the approximate time to be spent in each process;

“(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

“(7) A statement providing for a period of probation without adverse impact on the sponsor during which time the apprenticeship agreement shall be terminated by the Associate Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for corrective action with due notice to the Associate Director of Apprenticeship, and providing that after a probationary period, the apprenticeship may be cancelled by the Associate Director of Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of Apprenticeship for good and sufficient reasons;

“(8) Contact information (name, address, phone, and e-mail, if appropriate) of the person in the Registration Agency designated under the program to receive, process, and make disposition of a controversy of difference arising out of the apprenticeship agreement when the controversy or difference cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions.

1           “(9) A provision that a sponsor who is unable to fulfill the obligations under the  
2   apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or  
3   under the direction of the joint trade apprenticeship committee or non-joint apprenticeship  
4   committee or individual sponsor, transfer the apprenticeship agreement to another sponsor;  
5   provided, that:

6                   “(A) The apprentice consents and that the other sponsor agrees to assume the  
7   obligations of the apprenticeship agreement;

8                   “(B) The transferring apprentice is provided a transcript of related  
9   instruction an on-the-job learning by the program sponsor;

10                  “(C) The transfer is to the same occupation; and

11                  “(D) A new apprenticeship agreement is executed when the transfer  
12   between program sponsors occurs; and

13                  “(10) Such additional terms and conditions as may be prescribed or approved by  
14   the Registration Agency with the advice and guidance of the Apprenticeship Council, if not  
15   inconsistent with the provisions of this act.”.

16                  (i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word “Director”  
17   both times it appears and inserting the phrase “Associate Director of Apprenticeship” in its place.

18                  (j) Section 10 (D.C. Official Code § 32-1410) is amended as follows:

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

20                                  (A) Strike the work “Director” and insert the phrase “Associate Director of  
21   Apprenticeship” in its place.

22                                  (B) Strike the phrase “under this act, and he may hold” and insert the  
23   phrase “under this act and may hold” in its place.



1 (C) Strike the phrase "Secretary of Labor" and insert the phrase  
2 "Registration Agency" in its place.

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

4 "(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with  
5 the Apprenticeship Council. If not appeal is filed with the Apprenticeship Council within 10  
6 days after the date of filing the appeal, the determination of the Associate Director of  
7 Apprenticeship shall become the order of the Apprenticeship Council.

8 "(2) Any person aggrieved by a determination or action of the Associate  
9 Director of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing  
10 after due notice to the interested parties.

11 "(3) Any person aggrieved by the action of the Apprenticeship Council  
12 may appeal as provided in Title I of the District of Columbia Administrative Procedure Act,  
13 approved October 21, 1968 (82 Stat. 1204: D.C. Official Code § 2-501 *et seq.*).".

14 (k) Section 12 (D.C. Official Code § 32-1412) is repealed.

15 Sec. 2013. Section 5(c)(2) of the amendments to An Act to Provide for Voluntary  
16 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-  
17 156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase "Contracting  
18 Officer" wherever it appears and inserting the phrase "Department of Employment Services" in  
19 its place.

20 **SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT**

21 Sec. 2021. Short Title.

22 This subtitle may be cited as the "Retail Priority Area Amendment Act of 2015".

1           Sec. 2022. The H Street Retail Priority Area Incentive Act of 2010, effective April 8,  
2   2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq.*) is amended as follows:

3           (a) Section 2(5) (D.C. Official Code § 1-325.171(5)) is amended by striking the phrase  
4   “within the area bounded by a line” and inserting the phrase “within and abutting the boundary  
5   of the area bounded by a line” in its place.

6           (a) Section 3 (D.C. Official Code § 1-325.172) is amended as follows:

7                 (1) Paragraph (1)(B) is amended by striking the word “and”.

8                 (2) Paragraph (2) is amended by striking the period at the end and inserting the  
9   phrase “; and” in its place.

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

11                       “(3) Beginning October 1, 2015, make grants to support revitalization programs  
12   or projects in the H Street corridor area.

13           Sec. 2023. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-  
14   185; D.C. Official Code § 2-1217.71 *et seq.*), is amended as follows:

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

16                 (1) Subsection (f) is amended by striking the phrase “within the following area”  
17   and inserting the phrase “within and abutting the boundary of the following area” in its place.

18                 (2) Subsection (h) is amended by striking the phrase “within the following area”  
19   and inserting the phrase “which shall consist of the parcels, squares, and lots within and along  
20   the boundary of the following area” in its place.

21                 (3) Subsection (i) is amended by striking the phrase “within the following area”  
22   and inserting the phrase “which shall consist of the parcels, squares, and lots abutting the  
23   following line: Beginning at the intersection of Connecticut Avenue , N.W., and Macomb Street,

1 N.W., thence north on Connecticut Avenue, N.W., to its intersection with Albemarle Street,  
2 N.W.” in its place.

3 (4) Subsection (j) is amended by striking the phrase “within the following area”  
4 and inserting the phrase “which shall consist of the parcels, squares, and lots within and along  
5 the boundary of the following area” in its place.

6 (5) Subsection (k) is amended by striking the phrase “within the following area”  
7 and inserting the phrase “which shall consist of the parcels, squares, and lots within and along  
8 the boundary of the following area” in its place.

9 (b) Section 4b(b)(1) (D.C. Official Code § 2-1217.73b(b)(1)) is amended by striking the  
10 phrase “With respect to the small business retention and attraction program referenced in  
11 subsection (a)(1) of this section,” and inserting the phrase “With respect to the corridor  
12 revitalization programs listed in subsection (a) of this section,” in its place.

13 Sec. 2025. Section 2 of the Great Streets Neighborhood Retail Priority Areas Approval  
14 Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended as follows:

15 (a) The lead-in text of paragraph (1) is amended by striking the phrase “within the  
16 following areas” and inserting the phrase “within or abutting the boundary lines of the following  
17 areas” in its place.

18 (b) Paragraph (2) is amended by striking the phrase “within the area bounded by a line”  
19 and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its  
20 place.

21 (c) Paragraph (3) is amended by striking the phrase “within the area bounded by a line”  
22 and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its  
23 place.

1 (c) Paragraph (4) is amended by striking the phrase “within the area bounded by a line”  
2 and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its  
3 place.

4 (d) Paragraph (5) is amended by striking the phrase “within the area bounded by a line”  
5 and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its  
6 place.

7 (e) Paragraph (6) is amended by striking the phrase “within the following areas” and  
8 inserting the phrase “within and abutting the boundary lines of the following areas” in its place.

9 **SUBTITLE D. CREATIVE AND OPEN SPACE MODERNIZATION**  
10 **AMENDMENT**

11 Sec. 2041. Short title.

12 This subtitle may be cited as the “Creative and Open Space Modernization Act of 2015”.

13 Sec. 2042. Section 47-811.03 of the District of Columbia Official Code is amended as  
14 follows:

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

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

17 “(4) “Eligible building” means a non-residential or mixed-use building.”.

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

19 “(6A) “Lease commencement” means the date on which the tenant takes  
20 possession of the space or the occupancy date agreed to in the lease between the landlord and the  
21 Qualified High Technology Company, whichever occurs first.”.

22 (3) Paragraph (8) is amended to read as follows:

1           “(8) “Qualified High Technology Company” shall have the same meaning as set  
2   forth in § 47-1817.01(5).”.

3           (4) A new paragraph (8A) is added to read as follows:

4           “(8A) “Qualified tenant improvement” means an improvement to an interior  
5   portion of a building that is nonresidential real property if:

6           “(A) The improvement is made under or pursuant to a lease by the:

7                   “(i) Lessee (or any sublessee) of such portion; or

8                   “(ii) Lessor of such portion; and

9           “(B) The portion is to be occupied exclusively by the lessee (or any  
10   sublessee) of the portion.”.

11          (5) Paragraph (9) is amended to read as follows:

12          “(9) “Tenant” means a Qualified High Technology Company that executes a lease  
13   for at least 50,000 square feet of net rentable area of eligible premises within the District for a  
14   minimum term of 12 years, under which it (or its subsidiaries or directly related entities)  
15   occupies and uses the eligible premises or will occupy and use eligible premises on or after the  
16   lease commencement date. The term “tenant” also includes subsidiaries and directly related  
17   entities.”.

18          (b) Subsection (b)(2) is amended by adding the sentences “Alternatively, the tenant may  
19   take up to 50% of the value of its total qualified tenant improvements package as a tax abatement  
20   over 5 years. The total value of the tax abatement shall be calculated by adding the amount  
21   provided as a concession allowance or amortized loan to the tenant specifically for qualified  
22   tenant improvements to the amount of qualified tenant improvements funded by the tenant  
23   directly. The maximum amount of the abatement allowed under either paragraph (1) or (2) of this

1 subsection shall be \$1 million per year over 5 years. In no event shall the tax abatement exceed  
2 the tax bill for any one year. The Mayor shall devise a method for awarding the abatement so as  
3 to not exceed the annual abatement caps.” at the end.

4 (c) New subsections (c), (d), (e), and (f) are added to read as follows:

5 “(c) Notwithstanding subsections (a) and (b) of this section, the total combined  
6 abatements, beginning in fiscal year 2017, shall not exceed:

7 “(1) \$3 million per fiscal year; and

8 “(2) \$15 million total over 5 years.”

9 “(d) The tenant taking the abatement shall be required to provide a public benefit as  
10 determined by the Mayor. The Mayor shall certify the public benefit to the Office of Tax and  
11 Revenue by the lease commencement date as mentioned in subsection (f) of this section.

12 “(e) The abatement shall not roll forward or back between tax years. The abatement shall  
13 be applied equally during each real property tax billing installment, and one-half of such  
14 abatement shall be applied first during the latter of the half tax year of the lease commencement  
15 date or when the certification by the Mayor to the Office of Tax and Revenue is made.

16 “(f)(1) To be eligible for an abatement provided under subsection (a) and (b) of this  
17 section, on or after October 1, 2016, an applicant shall file with the Mayor, in a manner and form  
18 as the Mayor may prescribe, an application requesting certification of eligibility for the  
19 abatement.

20 “(2) An application requesting certification of the abatement shall identify:

21 “(A) The tax to which the certification applies;

22 “(B) The specific taxpayer (including taxpayer identification number) and  
23 property (by square and lot or parcel or reservation number) eligible;

1                   “(C) The type or portion of the property that is eligible;

2                   “(D) The effective date of eligibility;

3                   “(E) The date on which the eligibility is to terminate;

4                   “(F) The public benefit; and

5                   “(G) Such other information as the Mayor or Office of Tax and Revenue  
6 may require to administer the abatement.”

7                   “(3) The Mayor shall review and certify to the Office of Tax and Revenue the  
8 eligibility of an applicant by the applicant’s lease commencement date or within 45 days after an  
9 application is received, whichever is later.”

10                  “(4) The Office of Tax and Revenue shall review and process certifications by the  
11 Mayor for real property tax abatements under this subsection within 10 business days of receipt.”

12                  “(5) If a certified Qualified High Technology Company becomes ineligible during  
13 the lease term for an abatement for which it has previously been certified, the Mayor shall notify  
14 the Office of Tax and Revenue. The notification shall identify:

15                   “(A) The type of tax to which the certification applied;

16                   “(B) The specific taxpayer (including taxpayer identification number) and  
17 property (by square and lot or reservation number);

18                   “(C) The type or portion of the property that was previously certified as  
19 eligible;

20                   “(D) The date on which the taxpayer or property became ineligible; and

21                   “(E) Any other information the Mayor or Office of Tax and Revenue may  
22 require to rescind the abatement.”.

1           **SUBTITLE E. DMPED LIMITED GRANT-MAKING AUTHORITY**

2           **AMENDMENT**

3           Sec. 2051. Short title.

4           This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
5   Development Limited Grant-Making Authority Amendment Act of 2015”.

6           Sec. 2052. The Deputy Mayor for Planning and Economic Development Limited Grant-  
7   Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-0168; D.C. Official  
8   Code § 1-328.04), is amended by adding a new subsection (b-2) to read as follows:

9                   “(b-2) Notwithstanding the Grant Administration Act of 2013, effective  
10   December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), in Fiscal Year  
11   2016 the Deputy Mayor for Planning and Economic Development may award up to \$3,000,000  
12   in grants to Qualified High Tech Companies as defined by D.C. Official Code § 47-1817.01. The  
13   total amount of grants to a single recipient shall not exceed \$1,000,000.”

14           **SUBTITLE F. YOUTH EMPLOYMENT AND WORK READINESS TRAINING**

15           **AMENDMENT**

16           Sec. 2061. Short title.

17           This subtitle may be cited as the “Youth Employment and Work Readiness Training  
18   Amendment Act of 2015”.

19           Sec. 2062. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980  
20   (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

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

23                           (A) Subparagraph (A) is amended to read as follows:



1                   “(A) (i) A summer youth jobs program to provide for the employment  
2 or training each summer of not less than 10,000 and no more than 25,000 youth between 14 and  
3 24 years of age on the date of enrollment in the program.”.

4                   “(ii) Youth between the ages of 14 and 15 years at the date of  
5 enrollment shall receive an hourly work readiness training rate of not less than \$5.25.”.

6                   “(iii) Youth between the ages of 16 and 24 years at date of  
7 enrollment shall be compensated at a rate of not less than the federal minimum wage established  
8 by section 6 of the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1062; 29  
9 U.S.C. § 206).”.

10                   (B) Subparagraph (A-i) is amended to read as follows:

11                   “(A-i) Registration for the summer youth jobs program may occur on or  
12 before the last day of January and should conclude by the last day of April of each year.”.

13                   (C) Subparagraph (B) is amended by striking the phrase “but shall not be  
14 less than 20 nor more than 25 hours” and inserting the phrase “but shall not be less than 20 nor  
15 more than 40 hours” in its place.

16                   (D) Subparagraph (C) is amended to read as follows:

17                   “(C) Employment may include an appropriate number of supervisory  
18 positions at a wage rate established by the Mayor. Supervisory positions shall not be subject to  
19 the requirements under this paragraph regarding the number of hours and weeks of  
20 employment.”.

21                   (E) Subparagraph (E) is repealed

22                   (2) Paragraph (2) is amended to read as follows:

1                   “(2) ***In school employment and work readiness training.*** – An in-school  
2 employment and work readiness training program to provide for the employment or training  
3 during the school year of students aged 14 through 21 years on a part-time basis at no less than  
4 the federal minimum wage, or work readiness training rate at no less than \$5.25 per hour.  
5 Priority shall be given to students who meet eligibility criteria and standards of the Workforce  
6 Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et*  
7 *seq.*) (“Workforce Innovation and Opportunity Act”) as identified in regulations issued to  
8 implement this title. The Mayor may provide financial incentives to increase performance  
9 outcomes.”.

10                   (3) Paragraph (3) is amended to read as follows:

11                   “(3) ***Out-of-school, year-round employment and work readiness training.***—An  
12 out-of-school, year-round employment and work readiness training program to provide youth 16  
13 through 24 years of age with employment at the prevailing entry-level wage for the job being  
14 performed and no less than the federal minimum wage, or work readiness training at a training  
15 rate no less than \$5.25 per hour. The Mayor may provide financial incentives to promote work  
16 readiness training activities and to increase performance outcomes. Priority shall be given to  
17 youth who meet eligibility criteria and standards of the Workforce Innovation and Opportunity  
18 Act as identified in regulations issued to implement this title. The program shall include  
19 safeguards to assure that the prospect of employment resulting from this program does not  
20 induce students to drop out of school.”.

21                   (4) Paragraph (4) is amended to read as follows:

22                   “(4) ***On-the-job training program for adults.***—An on-the-job training program  
23 for unemployed individuals at least 18 years of age. Priority shall be given to participants who

1 meet eligibility criteria and standards of the Workforce Innovation and Opportunity Act as  
2 identified in regulations issued to implement this title. The District government shall reimburse  
3 participating employers no more than 75% of the prevailing wage paid for an occupation, as  
4 determined by the Mayor, for a period not to exceed 12 months. The employer shall pay all  
5 wages in excess of the allowable reimbursement and all fringe benefits. The Mayor shall require  
6 that participating private-sector employers agree to hire persons who successfully complete the  
7 program. On-the-job training participants shall not displace existing employees or be used as  
8 substitutes for regular workers.”.

9 (5) Paragraph (5) is amended to read as follows:

10 “(5) ***Training and retraining for employment.***—Programs for pre-employment  
11 training and retraining for persons 16 years of age and above. Priority shall be given to  
12 participants who meet eligibility criteria and standards of the Workforce Innovation and  
13 Opportunity Act as identified in regulations issued to implement this title. Training programs  
14 established pursuant to this paragraph may be coupled with those conducted under paragraphs  
15 (3) and (4) of this subsection.”.

16 (b) Subsection (b) is amended by inserting the sentence “The Mayor may enter into  
17 performance-based contracts to implement programs described in subsection (a) of this section.”  
18 at the end.

19 (c) Subsection (d) is amended to read as follows:

20 “(d) For the purposes of this section, to give priority to participants who meet eligibility  
21 criteria and standards of the Workforce Innovation and Opportunity Act means to engage in a  
22 good-faith effort to fill at least 30% of a program’s available positions with persons who meet  
23 eligibility criteria and standards of the Workforce Innovation and Opportunity Act.”.

1 (d) A new subsection (g) is added to read as follows:

2 “(g) Notwithstanding subsection (f) of this section and title I of the District of Columbia  
3 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §  
4 2-501 *et seq.*), the Mayor may establish wage rates and training stipend levels by Mayor’s  
5 order.”.

6 **SUBTITLE G. LOCAL RENT SUPPLEMENT AMENDMENT**

7 Sec. 2071. Short title.

8 This subtitle may be cited as the “Local Rent Supplement Amendment Act of 2015”.

9 Sec. 2072. Section 26c of the District of Columbia Housing Authority Act of 1999,  
10 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended as follows:

11 (b) Subsection (b) is amended by inserting the phrase “from the households referred to  
12 the Authority pursuant to subsection (c) of this section or” after the phrase “selected from”.

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

14 “(c) Eligible households may be referred to the Authority by the Department of Human  
15 Services or by another District agency designated by the Mayor.”.

16 **SUBTITLE H. MANUFACTURER’S SIDEWALK CAFE AND SUMMER**  
17 **GARDEN ENDORSEMENT AMENDMENT**

18 Sec 2071. Short title.

19 This subtitle may be cited “Manufacturer’s Sidewalk Cafe and Summer Garden  
20 Endorsement Amendment Act of 2015”.

21 Sec. 2072. Section 25-113a(c) of the District of Columbia Official Code is amended by:

22 (a) Inserting the phrase “a manufacturer’s license class A or B holding an on-site sales  
23 and consumption permit or” after the word “under”; and

(2) Adding the sentence “The licensee under a manufacturer’s license class A or B holding an on-site sales and consumption permit may be authorized to conduct business operations on a sidewalk cafe or summer garden only between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week.” at the end.

**SUBTITLE I. ENTERTAINMENT AND MEDIA PRODUCTION AND DEVELOPMENT AMENDMENT**

Sec. 2081. Short title.

This subtitle may be cited as the Entertainment and Media Production and Development Amendment Act of 2015.

Sec. 2082. The Cable Television Reform Act of 2002, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 34-1251.01) is amended to read as follows:

“Sec. 101. Short title.

“This act may be cited as the Entertainment and Media Production and Development Amendment Act of 2015.”.

(b) Section 102 (D.C. Official Code § 34-1251.02) is amended as follows:

(1) A new subsection (a-1) is added to read as follows:

“(a-1) The Council of the District of Columbia further finds that:

“(1) The District of Columbia’s iconic landmarks and diverse neighborhoods make the District of Columbia a natural choice for film, television, video, photography, gaming, digital media, and entertainment production.

“(2) Fostering the development of film, television, video, photography, gaming, digital media, and entertainment industries in the District of Columbia benefits District residents;

1           “(3) Film, television, video, photography, gaming, digital media, and  
2 entertainment projects play an important role in enhancing local production activity;

3           “(4) Local production activity in turn stimulates local resident employment,  
4 business opportunities, infrastructure and economic growth;

5           “(5) It is, and should be, the policy of the District of Columbia to have residents  
6 trained in the industry skillsets; and

7           “(6) It is, and should be, the policy of the District of Columbia to encourage the  
8 development of a sustainable film, television, video, photography, gaming, digital media, and  
9 entertainment industry in the District of Columbia.”.

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

11                   (A) Paragraph (8) is amended by striking the word “and” at the end.

12                   (B) Paragraph (9) is amended by striking the period at the end and  
13 inserting the phrase “; and” in its place.

14                   (C) New paragraphs (10), (11), and (12) are added to read as follows:

15           “(10) To foster the development of film, television, video, photography, gaming,  
16 digital media, and entertainment projects and industries in the District;

17           “(11) To market and promote the District to film, television, video, photography,  
18 gaming, digital media, and entertainment industries as a prime location for productions and  
19 events; and

20           “(12) To stimulate employment and business opportunities related to film,  
21 television, video, photography, gaming, digital media, and entertainment industries projects and  
22 industries.”.

23           (c) Section 103 (D.C. Official Code § 34-1251.03) is amended as follows:

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

2 “(10A) “Director” means the Director of the Office of Film, Television, and  
3 Entertainment.”.

4 (2) Paragraph (23) is amended to read as follows:

5 “(23) “Office” means the Office of Film, Television, and Entertainment  
6 established by § 34-1252.01.”.

7 (3) A new paragraph (25A) is added to read as follows:

8 “(25A) “PEG” means public access, educational, and governmental channels.”.

9 (c) Section 201 (D.C. Official Code § 34-1252.01.) is amended to read as follows:

10 “Sec. 201. Establishment of the Office of Film, Television, and Entertainment; director;  
11 general counsel.

12 “(a) There is established within the executive branch, as a subordinate agency, the Office  
13 of Film, Television, and Entertainment (“Office”). The Office shall be responsible for:

14 “(1) Fostering the development of film, television, video, photography, gaming,  
15 digital media, and entertainment projects and industries in the District, including:

16 “(A) Marketing and promoting the District to film, television, video,  
17 photography, gaming, digital media, and entertainment industries as a prime location for  
18 productions and events;

19 “(B) Stimulating employment and business opportunities related to film,  
20 television, video, photography, gaming, digital media, and entertainment projects and industries.

21 “(C) Creating a workforce development program for the training of  
22 District residents on the film, television, video, photography, gaming, digital media, and  
23 entertainment industry skillsets;

1                   “(D) Serving as a clearinghouse for information regarding government  
2 requirements affecting the production of film, television, video, photography, gaming, digital  
3 media, and entertainment within the District;

4                   “(E) Assisting producers and companies in securing permits and other  
5 appropriate services connected with the production film, television, video, photography, gaming,  
6 digital media, and entertainment projects, including television shows and films;

7                   “(F) Facilitating cooperation from the District government, the federal  
8 government, and private sector groups in the location and production of film, television, video,  
9 photography, gaming, digital media, and entertainment projects, including television shows and  
10 films;

11                   “(2) Oversight of cable television services, including:

12                   “(A) Regulating cable service, cable service providers, and the cable  
13 television industry;

14                   “(B) Protecting and promoting the public interest in cable service; and

15                   “(C) Executing the policies and provisions of the cable television laws and  
16 regulations of the District; and

17                   “(3) Producing content for the government and educational channels and  
18 managing those channels and producing video content for District government agencies and  
19 residents.

20                   “(b) The Office shall be administered by a Director, who shall be appointed by the  
21 Mayor. Notwithstanding any other provision of law, the Director shall become a bona fide  
22 resident of the District within 180 days after the effective date of confirmation by the Council  
23 and shall remain a District resident for the duration of the appointment. Failure to become a



1 District resident or to maintain District residency shall result in forfeiture of the appointment.

2 The Director shall not have, or have had within 2 years preceding his or her nomination, any  
3 ownership or business interest of over 5% in, or a substantial business affiliation with, any cable  
4 operator in the District.

5 “(c) The duties of the Director shall include the general administration of the Office, the  
6 preparation of the budget, hiring of staff, maintaining records, administering and enforcing the  
7 provisions of this act and regulations promulgated pursuant to this act, and such other duties  
8 required by law.

9 “(d) The Director shall establish an Office of the General Counsel within the Office. The  
10 Office of the General Counsel shall be headed by a general counsel appointed by the Director  
11 with the approval of the Director of the Mayor’s Office of Legal Counsel. The General Counsel,  
12 with the consent of the Director and the approval of the Director of the Mayor’s Office of Legal  
13 Counsel, may appoint assistant general counsels. The Director may also establish a Cable  
14 Television Division, for matters related to the regulation of the cable television industry, a Film  
15 and Television Development Division, to support the development of film, television, video,  
16 photography, gaming, digital media, and entertainment projects and industries in the District, and  
17 such other offices and divisions as the Director determines are in the interest of the Office.

18 “(e) The Director may appoint a Director of Programming to be the station manager of  
19 the government channels.”.

20 (d) The section heading of section 202 (D.C. Official Code § 34-1252.02) is amended to  
21 read as follows:

22 “Sec. 202. Powers and responsibilities of the Office of Film, Television, and  
23 Entertainment.”.

1 (e) Section 602(b) (D.C. Official Code § 34-1256.02(b)) is amended by striking the  
2 phrase “to the Corporation Counsel” and inserting the phrase “to the Director of the Mayor’s  
3 Office of Legal Counsel” in its place.

4 (f) Section 604(c) (D.C. Official Code § 34-1256.04(c)) is amended by striking the phrase  
5 “to the Corporation Counsel” and inserting the phrase “to the Director of the Mayor’s Office of  
6 Legal Counsel” in its place.

7 (g) A new section 1406 (D.C. Official Code § 34-1264.06) is added to read as follows:

8 “Sec. 1406. Additional transition provisions.

9 “(a) All appointments, rules, regulations, orders, administrative issuances, obligations,  
10 determinations, and agreements made, established, issued, promulgated, or entered into by the  
11 Office of Cable Television or Office of Motion Picture and Television Development, shall  
12 remain in effect until amended, modified, superseded, or repealed by the Office of Film,  
13 Television, and Entertainment.

14 “(b) All unexpended balances of appropriations, allocations, income, and other funds  
15 available to the Office of Cable Television or Office of Motion Picture and Television  
16 Development, shall be transferred to the appropriate accounts of the Office of Film, Television,  
17 and Entertainment.

18 “(c) All lawful existing contractual rights and obligations of the Office of Cable  
19 Television or Office of Motion Picture and Television Development shall transfer to the Office  
20 of Film, Television, and Entertainment, which shall assume all rights, duties, liabilities, and  
21 obligations as a successor in interest.”.

22 Sec. 2083. The Office of Motion Picture and Television Development Establishment Act  
23 of 2014, enacted on January 25, 2015 (D.C. Act 20-607; 62 DCR 1549), is repealed.

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

2           **SUBTITLE A. BODY-WORN CAMERA PRIVACY AMENDMENT**

3           Sec. 3001. Short title.

4           This subtitle may be cited as the “Body-Worn Camera Privacy Emergency Amendment  
5 Act of 2015”.

6           Sec. 3002. Section 204(a) of the District of Columbia Administrative Procedure Act,  
7 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as  
8 follows:

9           (a) Paragraph (13) is amended by striking the word “and”.

10          (b) Paragraph (14) is amended by striking the phrase “16.” and inserting the phrase “16;  
11 and” in its place.

12          (c) A new paragraph (15) is added to read as follows:

13          “(15) Recordings created pursuant to the Metropolitan Police Department’s body-worn  
14 camera program.”.

15          Sec. 3003. This subtitle shall apply as of October 1, 2014.

16           **SUBTITLE B. OAH ADMINISTRATIVE LAW JUDGE TERM LIMIT**

17           **AMENDMENT**

18          Sec. 3011. Short title.

19          This subtitle may be cited as the “Office of Administrative Hearings Administrative Law  
20 Judge Term Limit Amendment Act of 2015”.

21          Sec. 3012. The Office of Administrative Hearings Establishment Act of 2001, effective  
22 March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), is amended as follows:

23          (a) Section 11(c) (D.C. Official Code § 2-1831.08(c)) is amended as follows:

1 (1) Paragraph (1) is amended by striking the phrase “6 years” and inserting the  
2 phrase “5 years” in its place.

3 (2) Paragraph (2) is amended by striking the phrase “6 years” and inserting the  
4 phrase “5 years” in its place.

5 (3) Paragraph (3) is amended by:

6 (A) Striking the phrase “6-year” and inserting the phrase “5-year” in its  
7 place; and

8 (B) Striking the phrase “6 years” and inserting the phrase “5 years” in its  
9 place.

10 (b) Section 13(a) (D.C. Official Code § 2-1831.10) is amended by striking the phrase “6-  
11 year” and inserting the phrase “5-year” in its place.

## 12 **SUBTITLE C. CHILD FATALITY REVIEW COMMITTEE AMENDMENT**

13 Sec. 3021. Short title.

14 This subtitle may be cited as the “Child Fatality Review Committee Establishment Act  
15 Amendment of 2015”.

16 Sec. 3022. Section 4604(a) of the Child Fatality Review Committee Establishment Act  
17 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.04(a)), is  
18 amended as follows:

19 (a) Paragraph (9) is amended by striking the phrase “Office of the Corporation Counsel.”  
20 and inserting the phrase “Office of the Attorney General;” in its place.

21 (c) New paragraphs (10), (11), (12), and (13) are added to read as follows:

22 “(10) Department of Behavioral Health;

23 “(11) Department of Health Care Finance;

1           “(12) Department of Youth Rehabilitation Services; and

2           “(13) Office of the State Superintendent of Education.”.

3           **SUBTITLE D. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY**  
4           **AND JUSTICE**

5           Sec. 3031. Short title.

6           This subtitle may be cited as the “Office of the Deputy Mayor for Public Safety and  
7 Justice Amendment Act of 2015”.

8           Sec. 3032. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice  
9 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §  
10 1-301.191), is amended as follows:

11           (a) Subsection (a) is amended by striking the phrase “as a separate agency,”.

12           (b) Subsection (c)(5)(A) is amended by striking the phrase “Oversee and provide  
13 administrative support for the” and inserting the phrase “Be responsible for providing guidance  
14 and support to, and coordination of, the” in its place.

15           **SUBTITLE E. FEMS MEDICAL DIRECTOR LIABILITY AMENDMENT**

16           Sec. 3041. Short title.

17           This subtitle may be cited as the “Fire and Emergency Medical Services Department  
18 Medical Director Liability Clarification Amendment Act of 2015”.

19           Sec. 3042. Section 3a(e) of An Act To classify the officers and members of the fire  
20 department of the District of Columbia, and for other purposes, , effective April 15, 2008 (D.C.  
21 Law 17-147; D.C. Official Code § 5-404.01(e)), is repealed.

22           **TITLE IV. PUBLIC EDUCATION**

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

Sec. 401. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Amendment Act of 2015”.

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

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

“Grade Level	Weighting	Per Pupil Allocation in FY 2016
“Pre-Kindergarten 3	1.34	\$12,719
“Pre-Kindergarten 4	1.30	\$12,340
“Kindergarten	1.30	\$12,340
“Grades 1-5	1.00	\$9,492
“Grades 6-8	1.08	\$10,251
“Grades 9-12	1.22	\$11,580
“Alternative program	1.44	\$13,668
“Special education school	1.17	\$11,106
“Adult	0.89	\$8,448

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

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

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
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"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,207
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,390
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$18,699
"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$33,127
"Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per- student basis for Blackman Jones compliance.	0.069	\$655
"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	\$845
"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	\$15,852

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
-----------------	------------	-----------	--

"ELL	Additional funding for English Language Learners.	0.49	\$4,651
"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,079

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
"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	0.368	\$3,493
"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	1.337	\$12,691
"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	2.891	\$27,438



“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	2.874	\$27,280
“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	\$6,341

“Special Education Add-ons for Students with Extended School Year (“ESY”)

Indicated in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$598
“Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,155

“Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$4,661
“Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.489	\$4,642

”.

## **SUBTITLE B. SCHOOLS TECHNOLOGY FUND**

Sec. 4011. This subtitle may be cited as the “School Technology Fund Amendment Act of 2015”.

Sec. 4012. Section 10005 of the Revised Revenue Estimate Adjustment Allocation Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.251), is amended by adding a subsection (d) to read as follows:

“(d) By November 15 of each year, each LEA receiving funds from the Schools Technology Fund shall submit to the Office of the State Superintendent of Education a report on all Schools Technology Fund expenditures for the previous fiscal year. The report shall include the following information:

“(1) A detailed description of the equipment or software what was purchased by the LEA with funds from the Schools Technology Fund, including the cost associated with each piece of equipment or software; and

“(2) A detailed description of the technological improvements that were made to the LEA’s school facilities using the funds from the Schools Technology Fund.”.

1           **SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND**

2           Sec. 4021. Short title.

3           This subtitle may be cited as the “Student Residency Verification Fund Amendment Act  
4 of 2015”.

5           Sec. 4022. Section 2(c) of An Act To require the payment of tuition on account of  
6 certain persons who attend the public schools of the District of Columbia, and for other purposes,  
7 approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)) is amended to read  
8 as follows:

9                   “(c) All non-resident tuition and fees collected under this section shall be  
10 deposited in the Student Residency Verification Fund, established by section 15b of the District  
11 of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official  
12 Code § 38-312).”.

13           **SUBTITLE D. AT-RISK WEIGHT PRESERVATION FUND ESTABLISHMENT**

14           Sec. 4031 Short title.

15           This subtitle may be cited as the “At-Risk Weight Preservation Fund Establishment Act  
16 of 2015”.

17           Sec. 4032. At-Risk Supplemental Allocation Preservation Fund.

18           (a) There is established as a non-lapsing fund the At-Risk Supplemental Allocation  
19 Preservation Fund (“Fund”), which shall be used for the purposes set forth in subsection (b) of  
20 this section. All funds deposited in the Fund shall not revert to the unrestricted fund balance of  
21 the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but  
22 shall be continually available for the uses and purposes set forth in subsection (b) of this section  
23 without regard to fiscal year limitation, subject to authorization by Congress.

1 (b) The Fund shall be used solely to fund services and materials designed to assist at-risk  
2 students defined as those in foster care, who are homeless, on TANF or SNAP, or behind grade  
3 level.

4 (c) The Fund shall be administered by the Chancellor of the District of Columbia Public  
5 Schools.

6 (d)(1) At the end of each school year, the Chancellor shall work with the local school  
7 principals to determine if any non-personal services at-risk funding will be unspent by the end of  
8 the fiscal year. If funds will remain, the principal may request that they be deposited into the  
9 Fund to be carried over into the subsequent fiscal year for his/her school.

10 (2) At no point may an individual school carry over more than 50% of its current  
11 fiscal year at-risk allocation.

12 (3) The remaining at-risk funding available at the close of the fiscal year shall be  
13 deposited into the Fund and available to schools on a competitive basis to be spent on at-risk  
14 needs as determined by the Chancellor.

15 **SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT**  
16 **AMENDMENT**

17 Sec. 4041. Short title.

18 This subtitle may be may be cited as the “Chancellor of the District of Columbia Public  
19 Schools Salary Adjustment Amendment Act of 2015”.

20 Sec. 4042. Section 1052(b)(2) of the District of Columbia Government Comprehensive  
21 Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-  
22 610.52(b)(2)), is amended by striking the phrase “the Chancellor of the District of Columbia

Public Schools Kaya Henderson (\$275,000),” and inserting the phrase “the Chancellor of the District of Columbia Public Schools Kaya Henderson (\$284,000),” in its place .

**SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT**

Sec. 4051. Short title.

This subtitle may be may be cited as the “District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015”.

Sec. 4052. Section 105(c) of the District of Columbia Public Schools Agency Establishment Act of 2007, effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-174(c)), is amended as follows:

(a) Paragraph (9) is amended by striking the word “and” at the end.

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

(c) A new paragraph (11) is added to read as follows:

“(11) Contract for advertisements and sponsorships for athletics, community engagement events, or facilities improvements designed to generate resources for the District of Columbia Public Schools.”.

Sec. 4053. The Chief Financial Officer shall deposit all cash proceeds received from advertisements and sponsorships pursuant to this act to the credit of the District of Columbia Public Schools in the same manner as that used for donations under section 115 of the District of Columbia Appropriations Act, 2003, approved February, 2003 (117 Stat. 123; D.C. Official Code§ 1-329.01).

**SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION**

**AMENDMENT**

1           Sec. 4061. Short title.

2           This subtitle may be may “Educator Evaluation Data Protection Amendment Act of  
3 2015”.

4           Sec. 4062. Section 204(a) of the District of Columbia Administrative Procedure Act,  
5 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as  
6 follows:

7           (a) Paragraph (15) is amended by striking the word “and” at the end.

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

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

11               “(17) Individual educator evaluations and effectiveness ratings, observation, and  
12 value-added data collected or maintained by the Office of the State Superintendent of Education.  
13 For the purposes of this paragraph, the term “educator” means a principal, assistant principal,  
14 school teacher, assistant teacher, or paraprofessional.”.

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

16           **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

17           **AMENDMENT**

18           Sec. 5001. Short title.

19           This subtitle may be cited as the “Temporary Assistance for Needy Families Amendment  
20 Act of 2015”.

21           Sec. 5002. The District of Columbia Public Assistance Act of 1982, effective April 6,  
22 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.01 *et seq.*), is amended as follows:

1 (a) Section 552 (D.C. Official Code § 4-205.52) is amended by adding a new subsection  
2 (d-1) to read as follows:

3 “(d-1) (1) Effective October 1, 2015, the assistance levels set forth in subsection (c) of  
4 this section shall be adjusted annually for the rate of inflation, except for the following:

5 “(A) For fiscal year 2017 the assistance level shall be increased by 15.3%;

6 “(B) For fiscal year 2018 the assistance level shall be increased by 13.3%;

7 and

8 “(C) For fiscal year 2019 the assistance level shall be increased by 11.8%.

9 “(2) In annually adjusting the assistance levels for the rate of inflation, the prior  
10 year’s assistance level shall be increased by an amount equal to the prior year’s assistance level  
11 multiplied by the CPI percentage increase in the Consumer Price Index for Urban Consumers  
12 (CPI-U) for all items from the preceding calendar year, as determined by the United States  
13 Department of Labor Bureau of Labor Statistics.”.

14 **SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS**

15 Sec. 5011. Short title.

16 This subtitle may be cited as the “Medical Assistance Program Emergency Amendment  
17 Act of 2015”.

18 Sec. 5012. Section 1(a) of an Act To enable the District of Columbia to receive Federal  
19 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
20 and for other purposes, approved December 27, 1967 (81 Stat. 744: DC Official Code § 1-  
21 307.02(a)), is amended by adding a new paragraph (9) to read as follows:

1           “(9) Review and approval by the Council of the Fiscal Year 2016 Budget and  
2 Financial Plan shall constitute the Council review and approval required by paragraph (2) of this  
3 subsection of any amendment, modification, or waiver of the state plan required to:

4                   “(A) Implement amendments to the Intermediate Care Facilities for  
5 People with Developmental Disabilities (ICF/IDD) reimbursement methodology to ensure  
6 compliance with federal law; and

7                   “(B) Implement amendments to the payment methodology for hospital  
8 services.”.

## 9           **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

### 10           **SUBTITLE A. PERFORMANCE PARKING ZONE AMENDMENT**

11           Sec. 6001. Short title.

12           This subtitle may be cited as the “Performance Parking Zone Amendment Act of 2015”.

13           Sec. 6002. The Performance Parking Pilot Zone Act of 2008, effective November 25,  
14 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

15           (a) Section 2(e)(2) (D.C. Official Code § 50-2531(e)(2)) is amended by inserting the  
16 phrase “provided, the Mayor may increase fees in performance parking zones by a maximum of  
17 \$1.50 in a 3-month period, in any increment or time period therein, up to a maximum hourly rate  
18 of \$8.00 per hour;” after the phrase “once per month”.

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

20           “Sec. 3b. Penn Quarter/Chinatown Performance Parking Zone

21           “(a) The Penn Quarter/Chinatown Performance Parking Zone is designated as the area  
22 bounded by H Street, N.W., on the north, 11th Street, N.W., on the west, 3rd Street, N.W., on the  
23 east, and E Street, N.W., on the south, including both sides of these boundary streets.



1           “(b) In addition to maintaining a sufficient number of parking-control officers and traffic  
2 control officers in the existing performance parking zones, the Mayor may assign parking control  
3 and traffic-control officers for implementation of the pilot program in the Penn  
4 Quarter/Chinatown Performance Parking Zone and for enhanced enforcement during peak-  
5 parking-demand hours.

6           “(c) The Mayor shall set the initial performance parking zone fee equal to the existing  
7 parking meter fee in that zone.

8           “(d) Pursuant to section 2(d)(1), the Mayor shall adjust curbside parking fees to achieve  
9 10% to 20% availability of curbside parking spaces.

10           “(e) Within the first 30 days of the implementation of the Penn Quarter/Chinatown  
11 Performance Parking Zone, the Mayor may issue warning citations for curbside parking  
12 violations related to the pilot program in the zone.”.

#### 13           **SUBTITLE B. UNLAWFULLY PARKED VEHICLES AMENDMENT**

14           Sec. 6011. Short title.

15           This subtitle may be cited as the “Unlawfully Parked Vehicles Amendment Act of 2015”.

16           Sec. 6012. Section 3 of the Removal and Disposition of Abandoned and Other Unlawfully  
17 Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official  
18 Code § 50-2421.03.), is amended as follows:

19           (a) Paragraph (2) is amended by striking the word “or” at the end.

20           (b) Paragraph (3)(B) is amended by striking the period at the end and inserting the phrase “;  
21 or” in its place.

22           (c) A new paragraph (4) is added to read as follows:

1           “(4) A vehicle in violation of the posted parking restrictions at a parking facility  
2 owned by the Washington Metropolitan Area Transit Authority.”.

3           **SUBTITLE C. DDOT STREETCAR ENFORCEMENT AMENDMENT**

4           Sec. 6021. Short title.

5           This subtitle may be cited as the “District Department of Transportation DC Streetcar  
6 Enforcement Amendment Act of 2015”.

7           Sec. 6022. Section 11n of the Department of Transportation Establishment Act of 2002,  
8 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.72), is amended as follows:

9           (a) Paragraph (1) is amended by striking the word “and” at the end.

10          (b) Paragraph (2) is amended by striking the period at the end and inserting the phrase “;  
11 and” in its place.

12          (c) A new paragraph (3) is added to read as follows:

13          “(3) Concurrent with any other agency’s authority to do so, enforce violations of this title  
14 and regulations promulgated pursuant to this title.”.

15           **SUBTITLE D. VISION ZERO FUND ESTABLISHMENT**

16           Sec. 6031. Short title.

17           This subtitle may be cited as the “Vision Zero Fund Establishment Act of 2015”.

18           Sec. 6032. Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective  
19 June 26, 2008 (D.C. Law 17-219; D.C. Code § 1-325.131), is repealed.

20           Sec. 6033. The Department of Transportation Establishment Act of 2002, effective May  
21 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

22           (a) A new section 9j is added to read as follows:

1           “Sec. 9j. Vision Zero Pedestrian and Bicycle Safety Fund.

2           “(a) There is established as a non-lapsing fund the Vision Zero Pedestrian and Bicycle  
3 Safety Fund (“Fund”), which shall be allocated \$500,000 annually from fines associated with  
4 automated traffic enforcement initiatives. The Fund shall be administered by the Director of  
5 DDOT.

6           “(b) The Fund shall be used solely to enhance the safety and quality of pedestrian and  
7 bicycle transportation, including education, engineering, and enforcement efforts designed to  
8 calm traffic and provide safe routes.

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

14           (b) Section 11j(a) (D.C. Official Code § 50-921.53(a)) is amended by striking the phrase  
15 “section 6021 of the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of  
16 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131)” and  
17 inserting the phrase “section 9j” in its place.

18           **SUBTITLE E. DISTRICT OF COLUMBIA LOCAL TRANSIT COMMITTEE**  
19 **AMENDMENT**

20           Sec. 6041. Short title.

21           This subtitle may be cited as the “Local Transit Committee Amendment Act of 2015”.

22           Sec. 6042. The Department of Transportation Establishment Act of 2002, effective May  
23 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

1 (a) Section 11b(1) (D.C. Official Code § 50-921.32) is amended to read as follows:

2  
3 “(1) Plan, develop, operate, manage, regulate, and finance the DC Circulator;  
4 provided, that the Department’s adoption or modification of service development plans, fares,  
5 fare policies, routes, or schedules shall be subject to the approval of the Local Transit Committee;

6 (b) Section 11d (D.C. Official Code § 50-921.34) is amended as follows:

7 (1) The lead-in language to subsection (a) is amended by striking the phrase  
8 “the Department” and inserting the phrase “the Department, with approval from the Local  
9 Transit Committee,” in its place.

10 (2) Subsection (b) is amended by striking the phrase “the Department” and  
11 inserting the phrase “the Department, with approval from the Local Transit Committee,” in its  
12 place.

13 (c) Section 11e (D.C. Official Code § 50-921.35) is amended by:

14 (1) Striking the phrase “the Mayor, or his designee” and inserting the phrase  
15 “the Department” in its place; and

16 (2) Inserting the phrase “; provided, rules regarding service development  
17 plans, fares and fare policies, and the establishment or modification of routes or schedules shall  
18 be approved by the District of Columbia Local Transit Committee” before the period at the end.

19 (d) Section 11f (D.C. Official Code § 50-921.36) is amended by:

20 (1) Striking the phrase “The District Department of Transportation” and  
21 inserting the phrase “The Department, in consultation with the Local Transit Committee,” in its  
22 place;

1           (2)     Inserting the phrase “; provided, the adoption or modification of DC  
2     Circulator service development plans, fares, fare policies, routes, or schedules shall be approved  
3     by the Local Transit Committee” before the period at the end.

4           (e)     Section 11n(1) (D.C. Official Code 50-921.72) is amended to read as follows:

5           “(1) Plan, develop, operate, manage, regulate, and finance the DC Streetcar; provided,  
6     that the Department’s adoption or modification of service development plans, fares, fare policies,  
7     routes, or schedules shall be subject to the approval of the Local Transit Committee;

8           (f)     Section 11p (D.C. Official Code 50-921.74) is amended as follows:

9           (1)     Subsection (a) is amended by striking the phrase “The Department” and  
10     inserting the phrase “The Department, with approval from the District of Columbia Local Transit  
11     Committee,” in its place.

12           (2)     Subsection (b) is amended by striking the phrase “the Department” and  
13     inserting the phrase “the Department, with approval from the District of Columbia Local Transit  
14     Committee,” in its place.

15           (g)     Section 11r (D.C. Official Code § 50-921.76) is amended by:

16           (1)     Striking the phrase “the Mayor” and inserting the phrase “The  
17     Department” in its place; and

18           (2)     Inserting the phrase “; provided, rules regarding service development  
19     plans, fares and fare policies, and the establishment or modification of routes or schedules shall  
20     be approved by the District of Columbia Local Transit Committee” before the period at the end.

21           (h)     Section 11s (DC Code § 50-921.77) is amended by:

1                   (1)     Striking the phrase “the Department” and inserting the phrase “the  
2     Department, in consultation with the District of Columbia Local Transit Committee,” in its  
3     place; and

4                   (2)     Inserting the phrase “; provided, the adoption or modification of DC  
5     Streetcar service development plans, fares, fare policies, routes, or schedules shall be approved  
6     by the Local Transit Committee” before the period at the end

7           (i)     A new Title VI is added to read as follows:

8                   “TITLE VI: DISTRICT OF COLUMBIA LOCAL TRANSIT COMMITTEE.

9                   “Sec. 11t. Local Transit Committee.

10                  “There is established in the government of the District of Columbia a Local Transit  
11     Committee that shall assure that the DC Streetcar and DC Circulator are planned, managed, and  
12     delivered in a manner that incorporates the overall planning, economic development,  
13     neighborhood revitalization, environmental, and access policies of the District government.

14                  “Sec. 11u. Functions of the Local Transit Committee.

15                  “The Local Transit Committee shall review and approve decisions made by the District  
16     Department of Transportation with regard to service development plans, fares, fare policies,  
17     routes, and schedules for DC Streetcar and DC Circulator, with the following exceptions:

18                  “(a) Minor modifications to existing service development plans, fares and fare policies,  
19     routes and schedules where it is not necessary, as determined by the chairperson or pursuant to  
20     standards established by the Committee, to convene the full Committee for which the  
21     chairperson may make final determinations, reporting such actions to the Committee by regular  
22     reports; and

1 “(b) Other decisions that the Committee delegates to the District Department of  
2 Transportation, through a two-thirds vote, provided the Department shall report decisions within  
3 the scope of such a delegation to the Committee by regular reports.

4 “Sec. 11v. Committee composition.

5 “(a) The Local Transit Committee shall be composed of the following members:

6 “(1) The Deputy Mayor for Planning and Economic Development, who shall  
7 serve as chairperson;

8 “(2) The City Administrator;

9 “(3) The Director of the District Department of Transportation;

10 “(4) The Director of the Office of Planning;

11 “(5) The Director of the District Department of the Environment;

12 “(6) The Director of the Office of Disability Rights; and

13 “(7) The Director of the Mayor’s Office of Budget and Finance.

14 “(b) A member of the Committee may designate an alternate from among the  
15 member’s subordinates to represent him or her at a Committee meeting, vesting him or her with  
16 the same powers of the Committee member.”.

## 17 **SUBTITLE F. SUSTAINABLE ENERGY TRUST FUND AMENDMENT**

18 Sec. 6051. Short title.

19 This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of  
20 2015”.

21 Sec. 6052. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective  
22 August 4, 2008 (D.C. Law 17-250; D.C. Code § 8-1774.10(c)), is amended as follows:

23 (a) Paragraph (8) is amended by striking the word “and” at the end.

(b) Paragraph (9) is amended by striking the period at the end and inserting the phrase “; and” in its place.

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

“(10) The Low Income Home Energy Assistance Program in fiscal year 2016.”.

## **TITLE VII. FINANCE AND REVENUE**

### **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

Sec. 7001. Short title.

This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2015”.

Sec. 7002. Section 1014(c) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is repealed.

Sec. 7003. The DC Promise Establishment Act of 2013, effective June 4, 2014 (D.C. Law 20-107; 61 DCR 5899), is repealed.

### **SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS**

Sec. 7011. Short title

This subtitle may be cited as the “Prior Budget Act Amendments of 2015”.

Sec. 7012. The Fiscal Year 2006 Budget Submission Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), is repealed.

Sec. 7013. Section 47-361(14) of the District of Columbia Official Code is amended by inserting the phrase; provided, that with respect to capital reprogrammings, the term “reprogramming” means a net cumulative adjustment to a project’s capital budget during a fiscal year, including both upward and downward adjustments, of \$500,000 or more” before the period at the end.



1           Sec. 7014. The Fiscal Year 2015 Budget Support Act of 2014, effective February 26,  
2   2015 (D.C. Law 20-155; 61 DCR 9990), is amended as follows:

3           (a) Title IV, Subtitle H is repealed.

4           (b) Section 9009 is repealed.

5           **SUBTITLE C. SALES TAX AMENDMENT**

6           Sec. 7021. Short title

7           This subtitle may be cited as the "Sales Tax Amendment Act of 2015".

8           Sec. 7022. Sales tax amendments.

9           Section 47-2002(a) of the District of Columbia Official Code is amended as follows:

10          (a) The lead-in text is amended by:

11               (1) Striking the phrase "2013" and inserting the phrase "2015" in its place; and

12               (2) Striking the phrase "5.75%" and inserting the phrase "6%" in its place.

13          (b) Paragraph (1) is amended by striking the phrase "18%" and inserting the phrase  
14          "22%" in its place.

15          (c) Paragraph (4A) is amended by striking the phrase "5.75%" and inserting the phrase  
16          "6%" in its place.

17          Sec. 7023. Section 47-2202 of the District of Columbia Official Code is amended by  
18          striking the phrase "5.75%, except for the period beginning October 1, 2009, and ending  
19          September 30, 2012, the rate shall be 6%," and inserting the phrase "6%" in its place.

20           **SUBTITLE D. MARRIED FILING SEPARATELY STANDARD DEDUCTION**  
21   **AMENDMENT**

22          Sec. 7031. Short title

1 This subtitle may be cited as the “Married Filing Separately Standard Deduction Act of  
2 2015”.

3 Sec. 7032. Section 47-1801.04(44) of the District of Columbia Official Code is amended  
4 as follows:

5 (a) The lead- in language to paragraph (A) is amended to read as follows:

6 “(A) In the case of a return filed by a single individual “

7 (b) Paragraph (C)(ii)(III) is amended by striking the word “and”.

8 (c) A new paragraph (C-1) is added to read as follows:

9 “(C-1) In the case of a return filed by a married person filing separately, one-half  
10 of the amount allowed in paragraph (C) for a married person filing jointly; and”

11 Sec. 7033 Applicability.

12 This subtitle shall be applicable for taxable years beginning after December 31, 2014.

13 **SUBTITLE E. LOW INCOME CREDIT AMENDMENT**

14 Sec. 7041. Short title

15 This subtitle may be cited as the “Low Income Credit Act of 2015”.

16 Sec. 7042. Section 47-1806.04(e) of the District of Columbia Official Code is amended  
17 as follows:

18 (a) Paragraph (1) is amended to read as follows:

19 “(1)(A) If a return is filed for a full calendar year, the amount of the tax payable  
20 under this subchapter by a resident of the District with respect to the taxable year shall be  
21 reduced by a low income credit designed to make the District’s income threshold equal to the  
22 federal income tax threshold. For purposes of this subsection, the term “tax threshold” means  
23 the point at which a taxpayer begins to owe income tax after allowance of the standard deduction

1 and all personal exemptions to which the taxpayer is entitled, but before application of any  
2 itemized deductions or credits. The credit shall be calculated in accordance with a table  
3 prescribed by the Chief Financial Officer.

4 “(B)(i) If a return is filed for a period of less than a full calendar year  
5 beginning after December 31, 2014, the income eligibility for the credit allowed under this  
6 subsection, shall be determined by annualizing the income earned during the portion of the year  
7 the taxpayer was a District resident.”

8 “(ii) If a part-year resident meets the annualized income and other  
9 requirements of this subsection, the part-year resident is entitled to the pro rata share of the credit  
10 allowed by the annualized income. The pro rata share shall be determined by multiplying the  
11 credit allowed, from the table prescribed by the Chief Financial Officer, for the annualized  
12 income by the fraction consisting of the number of days the taxpayer was a District resident over  
13 365 days (or, in the case of a leap year, 366 days) .”

14 (b) Paragraph (2) is amended to read as follows:

15 “(2) The credit provided for in paragraph (1) of this subsection shall not be  
16 allowed to a resident:

17 “(A) Who has a federal tax liability determined in accordance with section  
18 55 of the Internal Revenue Code of 1986;

19 “(B) Who has net federal adjusted gross income in excess of the minimum  
20 federal income tax filing requirements. For purposes of this subparagraph, “net federal adjusted  
21 gross income” is federal adjusted gross income less:

22 (i) Taxable refunds, credits or offsets of state and local income tax;

23 (ii) Tax-exempt municipal bond interest income; and

(iii) Federal taxable amount of social security or tier 1 railroad retirement income; or

“(C) Who has elected to claim the earned income tax credit provided for in subsection (f) of this section.”.

**Sec. 7043. Applicability.**

This subtitle shall apply to taxable years beginning after December 31, 2014.

**SUBTITLE F. VAPOR PRODUCT AMENDMENT**

**Sec. 7051. Short title**

This subtitle may be cited as the “Vapor Product Amendment Act of 2015”.

**Sec. 7052.** Section 47-2001 of the District of Columbia Official Code is amended as follows:

(a) Subsection (e-1) is repealed.

(b) Subsection (h-3) is repealed.

**Sec. 7053.** Section 47-2401 of the District of Columbia Official Code is amended as follows:

(a) Subsection (5A) is amended to read as follows:

“(5A) The term “other tobacco product” means any product containing, made from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or expected to be consumed. The term “other tobacco product” includes vapor products (as that term is defined in § 47-2401(9A)), but does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and that is being marketed and sold solely for such an approved purpose.”.

1 (b) A new subsection (9A) is added to read as follows:

2 “(9A) The term “vapor product” means:

3 “(A) Any non-lighted, noncombustible product that employs a mechanical  
4 heating element, battery, or electronic circuit, regardless of shape or size, and that can be used to  
5 produce aerosol from nicotine in a solution; or

6 “(B) Any vapor cartridge or other container of nicotine in a solution or other  
7 form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic  
8 cigarillo, electronic pipe, or similar product or device.”.

9 Sec. 7054. Applicability date.

10 This act shall be applicable for taxable periods beginning on or after October 1, 2015.

11 **SUBTITLE G. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT**

12 Sec. 7061. Short title.

13 This subtitle may be cited as the “Notice of Proposed Audit Changes Requirement Act of  
14 2014”.

15 Sec. 7062. Section 47-4312 of the District of Columbia Official Code is amended by  
16 adding a new subsection (a-1) to read:

17 “(a-1) Unless otherwise provided in this title, the CFO shall send a notice of proposed  
18 audit changes to the person at least 30 days before the proposed assessment is sent.”

1           Sec. 7063. Section 47-4303 of the District of Columbia Official Code is amended to read  
2 as follows:

3           “§ 47-4303. Suspension of running of period of limitation.

4           “The running of the period of limitation provided in §§ 47-4301 and 47-4302 on the  
5 making of assessments or collection shall be suspended:

6           “(a) Beginning on the day the CFO issues a notice of proposed audit changes, pursuant to  
7 § 47-4312, until the issuance of an assessment or the issuance of a final order by the Office of  
8 Administrative Hearings; and

9           “(b) During the period during which the CFO is prohibited from making the assessment  
10 or from collecting due to a proceeding in court, plus:

11                   “(1) For assessment, 60 days thereafter; and

12                   “(2) For collection, 6 months thereafter.”.

13           **SUBTITLE H. FISCAL YEAR 2015 FIRE AND EMERGENCY MEDICAL**  
14 **SERVICES DEPARTMENT SETTLEMENT ACT**

15           Sec. 7071. Short title.

16           This subtitle may be cited as the “Fiscal Year 2015 Fire and Emergency Medical Services  
17 Department Settlement Act of 2014”.

18           Sec. 7072. Following the conclusion of Fiscal Year 2015, any surplus amounts, as  
19 certified by the Chief Financial Officer, in excess of the Fiscal Year 2015 budget, shall be used,  
20 first, to pay the amount contained in the financial plan arising from the decision in *District of*  
21 *Columbia Fire Emergency Medical Services Department v. District of Columbia Public*  
22 *Employee Relations Board*, Nos. 12–CV–1813, 12–CV–1910 (D.C. 2014).

23           **TITLE VIII. CAPITAL BUDGET**

**SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION**

**Sec. 8001. Short title.**

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$105,457,889 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2013A G.O.	2,166,753
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2014C G.O.	2,457,701
Commission On Arts and Humanities	DA1	CAH	Arts & Humanities Grants & Projects	2012 C - IT	157,088
D.C. Public Library	LB2	DCPL	Library Improvements	2012 C - IT	12,460
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2012 C - IT	1,759,993
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2013A G.O.	1,000,000
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2014C G.O.	3,000,000
Department of Corrections	CRI	DOC	HVAC Replacement	2013A G.O.	210,299
Department of General Services	PR1	DGS	One Judiciary Square Roof	2014C G.O.	566,687
Department of Parks and Recreation	COM	DGS	Congress Heights Modernization	2011 FG IT	26,761
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2011 FG IT	177,483
Department of Public Works	FS1	DPW	Upgrade to DPW Fueling Sites	2013A G.O.	76,427
Deputy Mayor for Education	CES	DMED	Language Immersion MS/HS Facility Grant	2014C G.O.	3,000,000
Deputy Mayor for Planning and Economic Development	AWR	DMPED	St Elizabeths Infrastructure	2012 C - IT	41,196,793
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	347,460
District Department of Transportation	CE3	DDOT	Alley Maintenance	2012 C - IT	227,938
District Department of Transportation	CE3	DDOT	Alley Maintenance	2013A G.O.	328,043
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2012 C - IT	1,430,163
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2013A G.O.	3,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2014C G.O.	2,500,000
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2012 C - IT	532,146
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2013A G.O.	1,000,000
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2012 C - IT	1,000,000
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2014C G.O.	500,000
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	2011 FG IT	5,184,020
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	2011 FG IT	12,304,377
District of Columbia Public Schools	PE3	DCPS	Drew ES Modernization/Renovation	2012 C - IT	511,155
Fire and Emergency Management Services	F34	FEMS	Emergency Communication Systems	2013A G.O.	16,841
Fire and Emergency Management Services	LC5	FEMS	Engine Company 23 Renovation	2014C G.O.	2,886,745
Metropolitan Police Department	CTV	MPD	Tactical Village Training Facility	2014C G.O.	758,832
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2012 C - IT	3,542,714
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2014C G.O.	6,525,205
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2012 C - IT	1,001,550
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2013A G.O.	648,627
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2014C G.O.	63,000
Special Education Transportation	BU2	SET	Special Education Transportation Center	2012 C - IT	4,840,628
<b>TOTAL</b>					<b>\$105,457,889</b>

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	NA6	DGS	Balkou Senior High School	N/A	25,785,083
District of Columbia Public Schools	NR9	DGS	Roosevelt Senior High School	N/A	20,223,161
District of Columbia Public Schools	YY1	DGS	Modernizations & Renovations	N/A	49,043,173
WMATA	SA3	DDOT	WMATA Fund - PRIIA	N/A	10,406,472
<b>TOTAL</b>					<b>\$105,457,889</b>

## SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT

Sec. 8011. Short title.

This subtitle may be cited as the “McMillan Redevelopment Proceeds Amendment Act of 2015”.

Sec. 8012. Section 1 of An Act Authorizing the sale of certain real estate in the District



1 of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211;  
2 D.C. Official Code § 10-801), is amended by adding a new subsection (n) to read as follows:

3 “(n) The net proceeds from the disposition of the McMillan Sand Filtration Site approved  
4 by the McMillan Residential Townhomes Parcel Disposition Approval Resolution of  
5 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential  
6 Multifamily Parcels Disposition Approval Resolution of 2014, effective ----- (Res. 20-706;  
7 December 2, 2014 (62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval  
8 Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), shall not be  
9 deposited in the unrestricted fund balance of the General Fund of the District of Columbia but  
10 shall instead be deposited in the capital fund account associated with the McMillan Site  
11 Redevelopment, EB0-AMS11C.”

12 **SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY**  
13 **AMENDMENT**

14 Sec. 8021. Short title.

15 This title may be cited as the “Department of Transportation Capital Budget Allocation  
16 Authority Amendment Act of 2015”.

17 Sec. 8022. Section 3(e)(2) of the Department of Transportation Establishment Act of  
18 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02), is amended  
19 to read as follows:

20 “(2) The Director may submit requests to the Office of Budget and Planning of  
21 the Office of the Chief Financial Officer (“OBP”) to allocate funds for the Related Projects, as  
22 submitted annually thereafter by DDOT through the approved Transportation Improvement Plan  
23 (TIP) as part of the budget request of each capital project created in fiscal year 2012 or later

1 funded from the District of Columbia Highway Trust Fund. The Director, following allocation of  
2 funds by OBP to the Related Projects, shall have the authority to obligate and spend the funds.”.

3 **SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT**

4 Sec. 8031. Short title.

5 This subtitle may be cited as the “Pay-as-you-go Capital Account Amendment Act of  
6 2015”.

7 Sec. 8032. Section 47-392.02(f)(2) of the District of Columbia Official Code is amended  
8 by striking the phrase “2016” and inserting the phrase “2019” in its place.

9 **TITLE IX. ADDITIONAL REVENUE CONTINGENCY LIST**

10 **SUBTITLE A. REVISED REVENUE ESTIMATE CONTINGENCY PRIORITY**  
11 **LIST**

12 Sec. 9001. Short title.

13 This subtitle may be cited as the “Revised Revenue Estimate Contingency Priority List  
14 Act of 2015”.

15 Sec. 9002. (a). If the Chief Financial Officer certifies local revenue in the June 2015  
16 revenue estimate that exceeds the annual revenue estimate incorporated in the approved budget  
17 and financial plan for fiscal year 2016, the excess revenue shall be allocated in the following  
18 priority:

19 (1) Department of Health Care Finance - \$9,000,000 to restore hospital fee-for-  
20 service inpatient rates to 98% of cost.

21 (2) General Fund Revenue - \$22,227,000 to restore the sales and use tax rate to  
22 5.75%;

(3) General Fund Revenue - \$9,885,000 to restore the sales tax rate on parking to 18%;

(4) District of Columbia Public Library - \$950,000 to restore funding for library books;

(5) Department of General Services - \$4,700,000 to restore funding for facility operations and maintenance;

(6) General Fund Revenue - \$4,800,000 to repeal the sales tax on health clubs; and

(7) University of the District of Columbia - \$3,550,000 to restore subsidy funding to the flagship University and Community College.

(b) The full amount of funding must be identified for an item listed in subsection (a) before the item may be implemented. Each of the items shall be implemented on a recurring fiscal year basis if sufficient revenue is identified in the financial plan to cover the costs of implementation. If there is not sufficient revenue to cover the recurring costs, the item shall be implemented on a one-time-funding basis.

(c) The District may obligate and expend any increase in the amount of funds authorized by this section only if the Chief Financial Officer certifies the increase in revenue.

## **TITLE X. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS**

### **SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS**

Sec. 1001. Short title.

This title may be cited as the "Local and Special Purpose Revenue Fund Amendment Act of 2015".

Sec. 1002. Fraud Prevention Fund.

Section 102(c) of the Seniors Protection Amendment Act of 2000, effective June 8, 2001, (D.C. Law 13-301, D.C. Official Code § 22-3226.14), is repealed.

Sec. 1003. Notwithstanding any other law, the Distribution Fees funds, designated for accounting purposes by the Office of the Chief Financial Officer as fund 1234 within the Office of the Secretary, shall be transferred to the newly created Office of the Senior Advisor.

#### **SUBTITLE B. DESIGNATED FUND TRANSFERS**

Sec. 1041. Short title.

This subtitle may be cited as the "Designated Fund Transfer Act of 2015".

Sec. 1042. Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer the identified amounts from certified fund balances in those accounts to the General Fund as described below:

(a) \$29.9 million shall be made available in fiscal year 2016;

(b) \$35.3 million shall be made available in fiscal year 2017; and

(c) \$2 million shall be made available in fiscal year 2018

<b>Designated Fund Balance - Overview</b>		
<b>Code</b>	<b>Fund Name</b>	<b>Amount</b>
<b>Budget Reserves:</b>		
BD0	Historic Landmark District Protection Fund	1,250,000
	<b>Subtotal</b>	<b>1,250,000</b>
<b>Dedicated Taxes:</b>		
HT0	Nursing Homes Quality of Care Fund	4,978,020
HT0	Healthy DC Fund	22,991,412
HT0	Stevie Sellows	2,522,743
	<b>Subtotal</b>	<b>30,492,175</b>
<b>Purpose Restrictions:</b>		
AT0	OFT Central Collection Unit	8,000,000
CR0	OPLA - Special Account	500,000
CR0	Board of Engineers Fund	500,000
CR0	Corporate Recordation Fund	500,000
CT0	Cable Franchise Fees	5,500,000
FE0/FQ0	Crime Victims Assistance Fund	2,558,661

FL0	Correction Trustee Reimbursement	4,170,231
FL0	Correction Reimbursement-Juveniles	922,547
HT0	Medicaid Collections-3rd Party Liability	3,905,187
JM0	Cost of Care-Non-Medicaid Clients	1,447,622
KG0	Sustainable Energy Trust Fund	3,500,000
KG0	Energy Assistance Trust Fund	500,000
KV0	Motor Vehicle Inspection Station	3,478,223
	<b>Subtotal</b>	<b>35,482,471</b>
<b>TOTAL</b>		<b>67,224,646</b>

Sec. 1043. Applicability date.

This subtitle shall apply as of September 30, 2015.

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

Sec. 1101. Fiscal impact statement.

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

Sec. 1102. Effective date.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Attorney General



Legal Counsel Division



**MEMORANDUM**

**TO:** Lolita S. Alston  
Deputy Director  
Office of Legislative Support


**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** April 3, 2014

**SUBJECT:** Legal Sufficiency Review of Draft Bill, the "Fiscal Year 2016 Budget Support Act of 2015"  
(AE-15-194 A through WW)

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**This is to Certify that** this Office has reviewed the Draft Bill, the "Fiscal Year 2016 Budget Support Act of 2015" and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

  
Janet M. Robins


Government of the District of Columbia  
Office of the Chief Financial Officer



**Jeff DeWitt**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeff DeWitt  
Chief Financial Officer 

**DATE:** April 3, 2014

**SUBJECT:** Fiscal Impact Statement – “Fiscal Year 2016 Budget Support Act of 2015”

**REFERENCE:** Draft legislation shared with the Office of Revenue Analysis on April 3, 2015

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**Conclusion**

Funds are sufficient in the proposed FY 2016 through FY 2019 budget and financial plan to implement the proposed Fiscal Year 2015 Budget Support Act of 2019.

The proposed FY 2016 through FY 2019 budget and financial plan accounts for the expenditure and revenue implications of the proposals described in the subtitles included in the bill. The Mayor’s FY 2016 budget proposes \$7.015 billion in Local funds spending, supported by \$7.016 billion of local resources, with an operating margin of \$0.5 million.

The initiatives in the Fiscal Year 2016 Budget Support Act of 2015, combined with the Mayor’s policy choices, provide sufficient funds to balance the estimated expenditures of \$7.911 billion<sup>1</sup> in the proposed General Fund FY 2016 budget.

*The bill, the “Fiscal Year 2016 Budget Support Act of 2015,” is the legislative vehicle for adopting statutory changes needed to implement the Mayor’s proposed budget for the FY 2016 through FY 2019 budget and financial plan period. The purpose and the impact of each subtitle are summarized in the following pages.*

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<sup>1</sup> This amount includes local, dedicated, and special purpose funds.

## Table of Contents

TITLE I- GOVERNMENT DIRECTION AND SUPPORT .....	4
Subtitle (I)(A) – Bonus and Special Pay Limitation Act of 2015.....	4
Subtitle (I)(B) – Supply Management Amendment Act of 2015.....	4
Subtitle (I)(C) – Office of Gay, Lesbian, Bisexual, Transgender, and Questioning Affairs Amendment Act of 2015 .....	5
Subtitle (I)(D) – Appointment Term Amendment Act of 2015 .....	5
Subtitle (I)(E) – Elected Attorney General and Mayor’s Office of Legal Counsel Clarification Amendment Act of 2015 .....	5
TITLE II- ECONOMIC DEVELOPMENT AND REGULATION .....	7
Subtitle (II)(A) – Department of Small and Local Business Development Micro Loan Fund Amendment Act of 2015 .....	7
Subtitle (II)(B) – Apprenticeship Modernization Amendment Act of 2015 .....	7
Subtitle (II)(C) – Retail Priority Area Amendment Act of 2015.....	8
Subtitle (II)(D) – Creative and Open Space Modernization Act of 2015 .....	8
Subtitle (II)(E) – Deputy Mayor of Planning and Economic Development Limited Grant-Making Authority Amendment Act of 2015 .....	9
Subtitle (II)(F) – Youth Employment and Work Readiness Training Amendment Act of 2015...	9
Subtitle (II)(G) – Local Rent Supplement Amendment Act of 2015.....	10
Subtitle (II)(H) – Manufacturer’s Sidewalk Café and Summer Garden Endorsement Amendment Act of 2015 .....	10
Subtitle (II)(I) – Entertainment and Media Production and Development Amendment Act of 2015.....	11
TITLE III – PUBLIC SAFETY AND JUSTICE.....	12
Subtitle (III)(A) – Body Worn Camera Privacy Emergency Amendment Act of 2015.....	12
Subtitle (III)(B) – Office of Administrative Hearings Administrative Law Judge Term Limit Amendment Act of 2015 .....	12
Subtitle (III)(C) – Child Fatality Review Committee Establishment Act Amendment of 2015...	13
Subtitle (III)(D) – Office of the Deputy Mayor for Public Safety and Justice Amendment Act of 2015.....	13
Subtitle (III)(E) – Fire and Emergency Medical Services Department Medical Director Liability Clarification Amendment Act of 2015 .....	14
TITLE IV – PUBLIC EDUCATION SYSTEM.....	15
Subtitle (IV)(A) –Funding for Public Schools and Public Charter Schools Amendment Act of 2015.....	15
Subtitle (IV)(B) – School Technology Fund Amendment Act of 2015.....	17
Subtitle (IV)(C) – Student Residency Verification Fund Amendment Act of 2015 .....	17
Subtitle (IV)(D) – At-Risk Weight Preservation Fund Establishment Act of 2015 .....	18
Subtitle (IV)(E) – Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015 .....	19
Subtitle (IV)(F)–District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015.....	19
Subtitle (IV)(G)–Educator Evaluation Data Protection Amendment Act of 2015.....	20
TITLE V– HEALTH AND HUMAN SERVICES.....	21
Subtitle (V)(A) – Temporary Assistance for Needy Families Amendment Act of 2015.....	21
Subtitle (V)(B) – Medical Assistance Program Emergency Amendment Act of 2015 .....	22
TITLE VI – TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT .....	23



Subtitle (VI)(A) – Performance Parking Zone Amendment Act of 2015 .....	23
Subtitle (VI)(B) – Unlawfully Parked Vehicles Amendment Act of 2015.....	24
Subtitle (VI)(C) – District Department of Transportation DC Streetcar Enforcement Amendment Act of 2015 .....	24
Subtitle (VI)(D) – Vision Zero Fund Establishment Act of 2015 .....	25
Subtitle (VI)(E) – Local Transit Committee Amendment Act of 2015 .....	25
Subtitle (VI)(F) – Sustainable Energy Trust Fund Amendment Act of 2015.....	26
<b>TITLE VII– FINANCE AND REVENUE .....</b>	<b>27</b>
Subtitle (VII)(A) – Subject to Appropriations Amendment Act of 2015 .....	27
Subtitle (VII)(B) – Prior Budget Act Amendments of 2015.....	27
Subtitle (VII)(C) – Sales Tax Amendment Act of 2015 .....	28
Subtitle (VII)(D) – Married Filing Separately Standard Deduction Act of 2015 .....	29
Subtitle (VII)(E) – Low Income Credit Act of 2015.....	29
Subtitle (VII)(F) – Vapor Product Amendment Act of 2015.....	30
Subtitle (VII)(G) – Notice of Proposed Audit Changes Requirement Act of 2015 .....	30
Subtitle (VII)(H) – Fiscal Year 2015 Fire and Emergency Medical Services Department Settlement Act.....	31
<b>TITLE VIII- CAPITAL BUDGET.....</b>	<b>32</b>
Subtitle (VIII)(A) – Fiscal Year 2016 Capital Project Reallocation Approval Act of 2015 .....	32
Subtitle (VIII)(B) – McMillan Redevelopment Proceeds Amendment Act of 2015 .....	33
Subtitle (VIII)(C) – Department of Transportation Capital Budget Allocation Authority Amendment Act of 2015 .....	34
Subtitle (XIII)(D) – Pay-as-you-go Capital Account Amendment Act of 2015" .....	34
<b>TITLE IX- ADDITIONAL REVENUE CONTINGENCY LIST .....</b>	<b>36</b>
Subtitle (IX)(A) – Revised Revenue Estimate Contingency Priority List Act of 2015.....	36
<b>TITLE X – SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS .....</b>	<b>37</b>
Subtitle (X)(A) – Local and Special Purpose Revenue Fund Amendment Act of 2015 .....	37
Subtitle (X)(B) – Designated Fund Transfer Act of 2015.....	37

## **TITLE I- GOVERNMENT DIRECTION AND SUPPORT**

### **Subtitle (I)(A) – Bonus and Special Pay Limitation Act of 2015**

#### **Background**

The subtitle prohibits District agencies from awarding performance-related bonuses, special awards pay, and service awards in fiscal year 2016. Contractually required bonuses and special payments, including those for certain employees of the District of Columbia Public Schools or the Office of the Attorney General, are exempted from this requirement.

#### **Financial Impact**

Limitations on bonus and special awards payments generally help keep personnel expenditures under control, allowing the use of public funds for other purposes. The impact of the proposed subtitle is already incorporated into the proposed FY 2016 through FY 2019 budget and financial plan.

### **Subtitle (I)(B) – Supply Management Amendment Act of 2015**

#### **Background**

The subtitle authorizes the Office of Contracting and Procurement (OCP) to become the main contracting agency for the sale of surplus goods and other personal property for District agencies,<sup>2</sup> and to enter into agreements with District charter schools and quasi-governmental organizations for the sale of their surplus goods and other personal property. OCP may charge an administrative fee to these agencies and organizations of six percent of the gross sales proceeds, which will be deposited into the lapsing Surplus Property Sales Fund.<sup>3</sup>

#### **Financial Impact**

Expansion of the program to include quasi-governmental organizations could bring increased sales through the current online auction platform. Increased sales volume provides OCP an opportunity to negotiate lower contract costs, but the magnitude of savings will not be known until OCP begins to negotiate agreements with these organizations. Selling surplus property for more agencies could generate more revenue, but since many agencies already work with OCP, the impact may be small. The six percent administrative fee that OCP can retain from independent agencies is sufficient to cover the contract costs associated with selling those agencies' goods

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<sup>2</sup> Including those not subject to the Procurement Practices Reform Act of 2010, effective April 8, 2010 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*)

<sup>3</sup> Established by the Office of Contracting and Procurement Surplus Personal Property Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601).

**Subtitle (I)(C) – Office of Gay, Lesbian, Bisexual, Transgender, and Questioning Affairs  
Amendment Act of 2015**

**Background**

The subtitle changes<sup>4</sup> the name of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs to the Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs.

**Financial Impact**

There are minor incidental costs associated with the name change (reprinting, signage, etc.) which can be paid out of budgeted fund for the office.

**Subtitle (I)(D) – Appointment Term Amendment Act of 2015**

**Background**

A number of high-level positions in the District government are appointed by the Mayor and have specific length of appointment terms. The subtitle eliminates the terms for the positions of Chief Procurement Officer (five years), Chief Administrative Law Judge (six years), Chief Medical Examiner (six years), Director of the Department of Forensic Sciences (four years), State Superintendent of Education (four years), and Chief Tenant Advocate (three years).

**Financial Impact**

Implementation of the subtitle will allow the Mayor to appoint individuals to these positions and their service will no longer be restricted by a specific term.

**Subtitle (I)(E) – Elected Attorney General and Mayor's Office of Legal Counsel Clarification  
Amendment Act of 2015**

**Background**

The subtitle clarifies the division of work between the Office of the Attorney General and the Mayor's Office of Legal Counsel. It notes that the Mayor's Office of Legal Counsel is responsible for overseeing and supervising the legal work of subordinate agency counsels<sup>5</sup> and providing legal sufficiency reviews for legislation proposed by the Mayor.

It also clarifies that the relationship between the District government and the Attorney General will be as client to attorney. While the Attorney General may delegate his or her authority to his subordinates, or to an office or agency, the Attorney General may not delegate his or her authority to issue formal opinions.<sup>6</sup>

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<sup>4</sup> By amending the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381 *et seq.*)

<sup>5</sup> D.C. Official Code § 1-608.55

<sup>6</sup> D.C. Official Code § 1-301.81

The subtitle repeals the code sections that regulates the appointment and the salary of the Attorney General, but keeps the provision that the Attorney General be paid at the same level as the Chairman of the Council of the District of Columbia.<sup>7</sup> It clarifies that the Attorney General has personnel and procurement authority over his independent office, but limits the personnel size of this office to 30. It clarifies that the Attorney General is the authorized party to any collective bargaining agreements that cover the employees of the Office of the Attorney General, and that the Attorney General is authorized to grant awards to the employees of the Office of the Attorney General.

### **Financial Impact**

Providing personnel and procurement authority to the Office of the Attorney General does not have a fiscal impact. The Office of the Attorney General is subject to the same anti-deficiency rules as the rest of the District government agencies, and therefore cannot hire employees or procure goods before having sufficient funds to pay for them.

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<sup>7</sup> D.C. Official Code § 1-301.82 and § 1-301.85.

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

### **Subtitle (II)(A) – Department of Small and Local Business Development Micro Loan Fund Amendment Act of 2015**

#### **Background**

The subtitle changes the name of the Department of Small and Local Business Development's (DSLBD) Micro Loan Fund to the Small Business Capital Access Fund ("Fund"). The non-lapsing fund can be used to provide loans and grants to businesses as well as local matching support for DSLBD federal grants.

The subtitle also expands eligibility for Fund support to include District non-profits and all small and local businesses headquartered in the District. Currently, eligibility<sup>8</sup> is limited to DSLBD certified business enterprises.<sup>9</sup>

#### **Financial Impact**

This subtitle does not have an impact on the District's budget and financial plan. The subtitle expands the number of entities eligible for funding, which is likely to increase Fund expenses. However, the fund reserves have increased every year, leaving room for additional spending, and DSLBD can only spend what is available in the Fund.

### **Subtitle (II)(B) – Apprenticeship Modernization Amendment Act of 2015**

The subtitle makes permanent language updates<sup>10</sup> to a 1978 law<sup>11</sup> regarding apprenticeships<sup>12</sup> to ensure the District Department of Employment Services can continue to be recognized by the U. S. Department of Labor to operate as a State Apprenticeship Agency.<sup>13</sup>

#### **Financial Impact**

This subtitle does not have an impact on the District's budget and financial plan.

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<sup>8</sup> D.C. Official Code § 2-218.75.

<sup>9</sup> D.C. Official Code § 2-218.23.

<sup>10</sup> Temporary updates have been approved through Apprenticeship Modernization Temporary Amendment Act of 2014, projected law date April 15, 2015 (D.C. Act 20-626; 62 DCR 2259).

<sup>11</sup> An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-156; D.C. Official Code § 32-1401 *et seq.*)

<sup>12</sup> The bill defines an apprentice as a worker at least 16 years old, earning less than minimum wage, employed to learn an apprentice-able occupation, and meeting certain federal and state-level criteria.

<sup>13</sup> Recognition of State Apprenticeship Agencies confers non-exclusive authority to determine whether an apprenticeship program conforms to the published standards and whether the program is, therefore, eligible for purposes which require such a determination by the Department of Labor. (29 CFR 29.13)

### **Subtitle (II)(C) – Retail Priority Area Amendment Act of 2015**

#### **Background**

The subtitle allows grants from the H Street Retail Priority Area Grant Fund<sup>14</sup> be used to support revitalization programs associated with the Great Streets program.<sup>15</sup>

#### **Financial Impact**

This subtitle expands the purposes for which the H Street Retail Priority Area grants can be spent, but does alter its budget. DMPED is planning to use \$7 million from the H Street Retail Priority Grant Fund in FY 2016 to support Great Streets grants, including the grant for QHTCs proposed in Subtitle II (E).

### **Subtitle (II)(D) – Creative and Open Space Modernization Act of 2015**

#### **Background**

Beginning in FY 2017, the subtitle allows Qualified High Technology Companies (QHTC)<sup>16</sup> that enter into a lease over 50,000 square feet for a minimum of 12 year term in the District to receive tax abatements for improvements made to the leased space. Tenants may claim up to 50 percent of the value of the improvements as a tax abatement, which may be spread over 5 years. The amount of the abatement in any given year cannot exceed \$1 million or the total tax liability for that year. The total of all abatements granted cannot exceed \$3,000,000 per fiscal year or \$15,000,000 over five years. The Mayor must determine that the tenant receiving the abatement provides a public benefit.

Subtitle E allows the Deputy Mayor for Planning and Economic Development (DMPED) to award grants for this purpose in FY 2016 only.

#### **Financial Impact**

The maximum cost of the subtitle is \$3,000,000 per year or \$15,000,000 over five years, beginning in FY 2017. DMPED will use resources in its special Economic Development Special Account (EB0 632) to pay for the abatement during the financial plan period. This account generates \$5 to \$6 million in annual revenues and can absorb this impact.<sup>17</sup> The subtitle will continue to reduce

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<sup>14</sup> D.C. Official Code § 1-325.172.

<sup>15</sup> Great Streets Program is defined in the Fiscal Year 2014 Budget Support Act of 2013, Subtitle VIII(D), Great Streets Neighborhood Retail Priority Area Amendment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 61 DCR 962).

<sup>16</sup> As defined in D.C. Official Code § 47-1817.01(5) QHTC's are for-profit entities with two or more employees in the District that derive at least 51 percent of gross revenue from a long list of specific high technology products and services.

<sup>17</sup> The fund's revenue comes from the following sources: (1) all operating funds transferred from the Anacostia Waterfront Corporation (AWC) and National Capital Revitalization Corporation (NCRC,) (2) all fees, revenues, and other income arising from real property or other assets formerly under the authority of the AWC and NCRC, or any of their subsidiaries, (3) funds authorized by an act of Congress, reprogramming, or

revenues for two years outside of the financial plan (FY 2020 and FY 2021) until the abatement program ends.

**Subtitle (II)(E) – Deputy Mayor of Planning and Economic Development Limited Grant-Making Authority Amendment Act of 2015**

**Background**

The subtitle authorizes the Deputy Mayor for Planning and Economic Development (DMPED) to issue grants to Qualified High Technology Companies (QHTCs) that enter into a lease over 50,000 square feet for a minimum of a 12 year term in the District to make improvements to the space. The grants can only be made in FY 2016, cannot exceed \$1 million per grant, and the total of all abatements granted cannot exceed \$3,000,000.

After the FY 2016 grant program concludes, Subtitle D allows tax abatement for the same purpose beginning in FY 2017.

**Financial Impact**

The maximum cost of the subtitle is \$3,000,000 in FY 2016. DMPED is planning to use \$7 million from the H-Street Retail Priority Area Grant Fund to support Great Street grants, including this proposed grant for QHTCs. Subtitle II (C) allows for this use.

**Subtitle (II)(F) – Youth Employment and Work Readiness Training Amendment Act of 2015**

**Background**

The subtitle makes several changes to the Department of Employment Services' (DOES) Mayor Marion S. Barry Summer Youth Employment Program (SYEP). It raises the maximum eligibility age of participants from 21 to 24, increases the maximum number of participants in the program from 21,000 to 25,000, and increases the maximum weekly hours participants can work from 25 to 40. The subtitle extends the registration period for SYEP to the end of April, and requires DOES to issue a public notice of the registration schedule at least 30 days in advance. The Mayor is authorized to set the wage rate for supervisory positions in the program.

The subtitle authorizes the Mayor to set wage rates and training stipends for all youth employment and work-readiness training programs, by Executive Order, subject to the availability of funds. Additionally, the Mayor may add incentives such as bonuses to promote work readiness training activities, subject to funding availability.

The subtitle sets minimum work-readiness training rates for 14- and 15-year-olds at \$5.25 per hour. Wages for 16- to 24-year-olds in employment programs are set at the federal minimum wage. Under the subtitle, there is no longer a minimum participation requirement of 10 hours per week for in-school employment and work-readiness training programs.

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intra-district transfer to be deposited into the account, (4) any other monies designated by law to be deposited into the account, and (5) interest earned on money deposited into the account.

For adult on-the-job training programs, the subtitle increases employer reimbursement from half of the prevailing wage to 75 percent of the prevailing wage, subject to the availability of funds. It also requires that participants not displace existing employees at a worksite.

Lastly, the subtitle sets program eligibility requirements for the District's youth employment and work readiness program that are consistent with standards established under the federal Workforce Innovation and Opportunity Act of 2014.<sup>18</sup>

### **Financial Impact**

The proposed FY 2016 budget for the Department of Employment Services includes an increase of \$5 million to pay for an estimated 1,000 new participants in the Marion S. Barry Summer Youth Employment Program due to the increase in eligibility age. While the subtitle gives the Mayor authority to increase wages subject to funding availability, FY 2016 budget does not include funding for potential wage or stipend increases and incentive bonuses. The Office of the Chief Financial Officer will evaluate any proposed wage increases to ensure there is sufficient budget to pay for them.

Once SYEP program enrollment numbers are confirmed, if forecasted expenditures exceed available budget, the District must either scale back or identify additional funding to pay for them. It is important to note that during FY 2014, DOES required an additional \$3.5 million to cover all of SYEP's costs, which was transferred from contingency reserves.

### **Subtitle (II)(G) – Local Rent Supplement Amendment Act of 2015**

#### **Background**

The Local Rent Supplement Program, run by the D.C. Housing Authority (DCHA), provides rent vouchers directly to very low-income families. This subtitle allows the Department of Human Services and other District agencies to refer families to this voucher program. Currently, DCHA selects voucher recipients from the waiting list of its Housing Choice Voucher Program (formerly called Section 8).

This subtitle applies only to the Local Rent Supplement Program vouchers DCHA gives directly to families, which are called tenant-based vouchers. It does not apply to project-based and sponsor-based vouchers.

#### **Financial Impact**

This subtitle has no cost since it only changes the way families are referred to the tenant-based voucher program. It does not require DCHA to serve additional families.

### **Subtitle (II)(H) – Manufacturer's Sidewalk Café and Summer Garden Endorsement Amendment Act of 2015**

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<sup>18</sup> Workforce Innovation and Opportunity Act, approved July 22, 2014 (Pub. L. No. 113-128; 128 Stat. 1425).



## **Background**

The subtitle authorizes breweries, wineries, and distilleries<sup>19</sup> serving alcoholic beverages on-site to obtain a sidewalk café or summer garden endorsement from the Alcoholic Beverage Regulatory Administration (ABRA) to allow consumption on outside public or private space. The endorsement fee is \$75 annually.

## **Financial Impact**

If all four breweries and all three distilleries in the District request the endorsement, an additional \$525 annually will go to the ABRA special purpose revenue administration fund.<sup>20</sup>

## **Subtitle (II)(I) – Entertainment and Media Production and Development Amendment Act of 2015**

## **Background**

The subtitle merges the Office of Cable Television and the Office of Motion Pictures and Television Development into a single agency called the Office of Film, Television, and Entertainment.

## **Financial Impact**

The revised FY 2015 budget for the Office of Motion Pictures and Television is \$2.2 million, and the FY 2015 budget for the Office of Cable Television is \$9.4 million. The proposed budget for the merged entity in FY 2016 is \$12.3 million.

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<sup>19</sup> This includes holders of a class A or B manufacturer's license under D.C. Official Code § 25-110(a).

<sup>20</sup> D.C. Official Code § 25-210.

## **TITLE III – PUBLIC SAFETY AND JUSTICE**

### **Subtitle (III)(A) – Body Worn Camera Privacy Emergency Amendment Act of 2015**

#### **Background**

This subtitle exempts<sup>21</sup> Metropolitan Police Department body camera video footage from Freedom of Information Act regulations. The purpose of this subtitle is to address privacy issues concerning officers and the residents filmed on body cameras. This subtitle would be applicable from the date that body cameras were first used on October 1, 2014.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

### **Subtitle (III)(B) – Office of Administrative Hearings Administrative Law Judge Term Limit Amendment Act of 2015**

#### **Background**

This subtitle will limit<sup>22</sup> the term length for administrative law judges at the Office of Administrative Hearings. Under current law, all administrative law judges serve a 2-year base term and are eligible for two reappointment terms. The length of a judge's reappointment term is determined by hire date. A judge hired prior to December 6, 2005 is eligible for one 10-year reappointment followed by one 6-year reappointment. A judge hired after December 5, 2005 is eligible for one 6-year reappointment followed by a second 6-year reappointment.

This subtitle will reduce the second reappoint term of judges hired prior to December 6, 2005 reappointment to five years. Judges hired after December 5, 2005 will have both reappointment terms limited to five years.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

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<sup>21</sup> By amending section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)).

<sup>22</sup> By amending the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.08(c)).

### **Subtitle (III)(C) – Child Fatality Review Committee Establishment Act Amendment of 2015**

#### **Background**

This subtitle adjusts<sup>23</sup> the membership of the Child Fatality Review Committee. Representatives from the Department of Behavioral Health, Department of Health Care Finance, Department of Youth Rehabilitative Services, and Office of the State Superintendent of Education will be added to the Committee. The subtitle eliminates Department of Housing and Community Development representative since the agency does not provide direct housing services to families. Furthermore, the subtitle updates the law to reflect an agency name change by replacing the Office of the Corporation Counsel with its new name - the Office of the Attorney General.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

### **Subtitle (III)(D) – Office of the Deputy Mayor for Public Safety and Justice Amendment Act of 2015**

#### **Background**

This subtitle eliminates<sup>24</sup> the Office of the Deputy Mayor for Public Safety and Justice as an independent agency and removes its oversight and administrative responsibilities. The Access to Justice Initiative, Motor Vehicle Theft Prevention Commission, Corrections Information Council, Office of Justice Grants Administration, and Office of Victim Services will no longer be operating under the agency.

#### **Financial Plan Impact**

With these changes, The Corrections Information Council will become a stand-alone agency in the District's budget structure and the Office of Justice Grants Administration and Office of Victim Services will combine to become a new Crime Victims and Justice Grants Administration agency. These changes are incorporated into the proposed FY 2016 through FY 2019 budget and financial plan.

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<sup>23</sup> By amending section 4604(a) of the Child Fatality Review Committee. Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*).

<sup>24</sup> By amending the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191).

**Subtitle (III)(E) – Fire and Emergency Medical Services Department Medical Director Liability Clarification Amendment Act of 2015**

**Background**

The subtitle will eliminate<sup>25</sup> liability language in the D.C. Code that is a barrier to attracting quality applicants for the Fire and Emergency Medical Services Medical Director. Suits filed under current law against the Medical Director are widely considered to be libelous, and the statute itself is viewed unfavorably within the Emergency Medical Services community, in Emergency Medical Services Journals, and in discussion groups. If a Medical Director is named in a suit, the Director must disclose this information on any future employer, licensing board, or insurer.

**Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

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<sup>25</sup> By striking section 2(c) subsection (e) of the Emergency Medical Services Improvement Amendment Act of 2008, effective April 15, 2008 (D.C. Law 17-147; D.C. Official Code § 5-404.01).

## TITLE IV – PUBLIC EDUCATION SYSTEM

### **Subtitle (IV)(A) –Funding for Public Schools and Public Charter Schools Amendment Act of 2015**

#### **Background**

The proposed subtitle sets the base foundation level used by the Uniform per Student Funding Formula at \$9,492, the same level as FY 2015. It also proposes no changes to the Uniform per Student Funding Formula weightings. The foundation level funding, and the various add-ons are depicted in the following tables:

<b>Weightings applied to counts of students enrolled at certain grade levels</b>		
<b>Grade Level</b>	<b>Weighting</b>	<b>Per Pupil Allocation in FY 2016</b>
<b>Pre-Kindergarten 3</b>	1.34	\$12,719
<b>Pre-Kindergarten 4</b>	1.30	\$12,340
<b>Kindergarten</b>	1.30	\$12,340
<b>Grades 1-5</b>	1.00	\$9,492
<b>Grades 6-8</b>	1.08	\$10,251
<b>Grades 9-12</b>	1.22	\$11,580
<b>Alternative program</b>	1.44	\$13,668
<b>Special education school</b>	1.17	\$11,106
<b>Adult</b>	0.89	\$8,448

<b>General Education Add-ons</b>			
<b>Level / Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>ELL</b>	Additional funding for English Language Learners	0.49	\$4,651
<b>At-Risk</b>	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,079

<b>Special Education Add-ons</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>Level 1: Special Education</b>	Eight hours or less per week of specialized services.	0.97	\$9,207
<b>Level 2: Special Education</b>	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.20	\$11,390
<b>Level 3: Special Education</b>	More than 16 hours and less than or equal to 24 hours per school week of specialized services.	1.97	\$18,699
<b>Level 4: Special Education</b>	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement.	3.49	\$33,127

<b>Special Education Add-ons</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>Blackman Jones Compliance</b>	Weighting provided in addition to special education level add-on weightings on a per student basis Blackman Jones compliance.	0.069	\$655
<b>Attorney's Fees Supplement</b>	Weighting provided in addition to special education level add-on weightings on a per student basis for attorney's fees.	0.089	\$845
<b>Residential</b>	DCPS or public charter school that provides students with room and board in a residential setting, in addition to their instructional program.	1.67	\$15,852

<b>Residential Add-ons</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>Level 1: Special Education - Residential</b>	Additional funding to support the after-hours level 1 special education needs of students living in a DCPS or public charter school that provides students with room and board in a residential setting.	0.368	\$3,493
<b>Level 2: Special Education - Residential</b>	Additional funding to support the after-hours level 2 special education needs of students living in a DCPS or public charter school that provides students with room and board in a residential setting.	1.337	\$12,691
<b>Level 3: Special Education - Residential</b>	Additional funding to support the after-hours level 3 special education needs of students living in a DCPS or public charter school that provides students with room and board in a residential setting.	2.891	\$27,438
<b>Level 4: Special Education - Residential</b>	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a DCPS or public charter school that provides students with room and board in a residential setting.	2.874	\$27,280
<b>LEP/NEP - Residential</b>	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a DCPS or public charter school that provides students with room and board in a residential setting.	0.668	\$6,341

<b>Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>Special Education Level 1 ESY</b>	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.063	\$598
<b>Special Education Level 2 ESY</b>	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.227	\$2,155

<b>Special Education Add-ons for Students with Extended School Year (ESY) Indicated in Their Individualized Education Programs (IEPs)</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
<b>Special Education Level 3 ESY</b>	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$4,661
<b>Special Education Level 4 ESY</b>	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs	0.489	\$4,642

### **Financial Plan Impact**

Although the base foundation level and formula weighting factors will remain the same in FY 2016, formula driven local fund expenditures will increase as a result of additional enrolled students in the District's public school system. Under the proposed subtitle, District of Columbia Public Schools will receive \$726,293,758 for its instructional budget through the Uniform per Student Funding Formula. Public charter schools will receive \$559,671,883 for their instructional budgets and \$122,994,076 for facilities allowances, bringing the collective local budget to \$682,665,961.

### **Subtitle (IV)(B) – School Technology Fund Amendment Act of 2015**

#### **Background**

This subtitle requires local education agencies—that is DCPS and DC Public charter schools—to submit a yearly report that details any equipment, software, or technological improvements purchased with School Technology Funds.<sup>26</sup> The reports will allow the Office of the State Superintendent of Education to monitor School Technology Fund expenditures, and perform a cost-benefit analysis on the School Technology Fund.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan. The Office of the State Superintendent of Education has the capacity to collect spending information from DCPS and the charter schools, and can conduct a cost-benefit study internally at no additional cost.

### **Subtitle (IV)(C) – Student Residency Verification Fund Amendment Act of 2015**

#### **Background**

This subtitle corrects<sup>27</sup> a conflict in the law<sup>28</sup> so all non-resident tuition payments and residency fraud sanctions can be deposited into a single non-lapsing Student Residency Verification Fund.

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<sup>26</sup> The School Technology fund is used to improve technology at District of Columbia Public Schools and District of Columbia Public Charter Schools. (D.C. Law 20-61; D.C. Official Code § 1-325.251).

<sup>27</sup> By amending Section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)).

The Office of the State Superintendent of Education will use the fund to help verify student residency and primary caregiver status.

### **Financial Plan Impact**

Funds are sufficient and the subtitle has been incorporated into the proposed FY 2016 through FY 2019 budget and financial plan. The subtitle deposits all tuition payments into the Student Residency Verification Fund to be administered by the Office of the State Superintendent of Education.

## **Subtitle (IV)(D) – At-Risk Weight Preservation Fund Establishment Act of 2015**

### **Background**

The subtitle deposits all Uniform per Student Funding Formula at-risk funds into a newly established non-lapsing At-Risk Supplemental Allocation Preservation Fund. The Fund will be managed by the Chancellor of the District of Columbia Public Schools and will be distributed to individual schools to support at-risk<sup>29</sup> student needs. If school level at-risk funding remains at the end of the fiscal year, principals can request to have funding carried over into the following school year as long as the fund balance is less than 50 percent of a school's current fiscal year allocation. Any remaining funds at the close of the fiscal year are deposited back into the At-Risk Supplemental Allocation Preservation Fund to be available to schools on a competitive basis.

### **Financial Plan Impact**

The fiscal impact of this subtitle has been incorporated into the proposed FY 2016 through FY 2019 budget and financial plan through the Uniform per Student Funding Formula. The proposed budget allocates a total of \$49,445,100 through the Uniform per Student Funding Formula towards serving 23,786 at-risk students in District of Columbia Public Schools. These funds will be transferred into the At-Risk Supplemental Allocation Preservation Fund at the beginning of FY 2016.

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<sup>28</sup> In 2012, the Student Residency Verification Fund was established via the District of Columbia Public Schools and Public Charter School Student Residency Fraud Prevention Amendment Act of 2012, effective May 9, 2012 (DC Law 19-126; D.C. Code § 38-312.02). The law indicates that the Office of the State Superintendent of Education was to administer the Student Residency Verification Fund. All funds collected from non-resident tuition and residency fraud sanctions were to be placed in the fund. The Fraud Prevent Amendment Act was enacted before the Office of the State Superintendent of Education's existence and has been used by the District of Columbia Public Schools to collect non-resident tuition payments. Under law, District of Columbia Public Schools is allowed to use these funds on general school purposes. There is a conflict with non-resident tuition payment collections and the activities the Student Residency Verification Fund can support.

<sup>29</sup> At-risk students are those in foster care, who are homeless, on TANF or SNAP, or behind grade level (Fair Student Funding and School Based Budgeting Act of 2013, effective February 22, 2014 (D.C. Law 20-87; D.C. Official Code § 38-2901).



**Subtitle (IV)(E) – Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015**

**Background**

The subtitle permanently increases<sup>30</sup> the annual salary for the Chancellor of the District of Columbia Public Schools from \$275,000 to \$284,000 beginning on January 2, 2015. This subtitle will make permanent emergency and temporary legislation<sup>31</sup> that was approved on March 17, 2015.

**Financial Plan Impact**

Funds are sufficient in the FY 2016 through FY 2019 budget and financial plan to implement the legislation. DCPS has sufficient funds included in its Uniform per Student Funding Formula local fund allotment to cover the cost of this salary increase.

**Subtitle (IV)(F)–District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015**

**Background**

The subtitle gives<sup>32</sup> the Chancellor of the District of Columbia Public schools the ability to secure advertising and sponsorships for athletics, community engagement events, or facilities improvements. This will give the chancellor more flexibility to seek and receive additional resources for the District of Columbia Public Schools. Currently the Chancellor is able to contract for advertising and sponsorship of the annual Turkey Bowl and this subtitle will expand this authority to all events. Funds collected through advertising and sponsorships will be treated as donations.<sup>33</sup>

**Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

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<sup>30</sup> By amending the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code §1-610.52).

<sup>31</sup> Chancellor of the District of Columbia Public Schools Salary Adjustment Temporary Amendment Act of 2015, introduced February 19, 2015 (Bill 21-84).

<sup>32</sup> By amending the District of Columbia Public Schools Agency Establishment Act of 2007, effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-174(c)).

<sup>33</sup> In the same manner as that is used for donations under section 115 of the District of Columbia Appropriations Act of 2003, approved February, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01).

### **Subtitle (IV)(G)–Educator Evaluation Data Protection Amendment Act of 2015**

#### **Background**

The subtitle exempts<sup>34</sup> the Office of the State Superintendent of Education from publicly disclosing<sup>35</sup> individual educator information<sup>36</sup> the agency maintains. The Office of the State Superintendent of Education can still disclose aggregated evaluation data as long as individualized identity information remains confidential. The subtitle maintains that individual educator evaluation data are not public records and therefore cannot be made available to the public via the Freedom of Information Act.<sup>37</sup>

#### **Financial Plan Impact**

This subtitle does not have an impact on the District's budget and financial plan.

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<sup>34</sup> By amending Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602).

<sup>35</sup> Pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

<sup>36</sup> Including evaluations and effectiveness ratings, observation, and value-added data.

<sup>37</sup> The Freedom of Information Act is codified at D.C. Official Code § 2-531 *et seq.*

## **TITLE V– HEALTH AND HUMAN SERVICES**

### **Subtitle (V)(A) – Temporary Assistance for Needy Families Amendment Act of 2015**

#### **Background**

This subtitle increases<sup>38</sup> the monthly Temporary Assistance for Needy Families (TANF) benefits by 15.3 percent in FY 2017, 13.3 percent in FY 2018, and 11.8 percent in FY 2019, resulting in an FY 2019 benefit that is about 46 percent higher than the FY 2016 level. Benefit increases in all other years will be equal to the percent increase in the consumer price index (CPI) for urban consumers.<sup>39</sup>

Currently there is a 46 percent increase scheduled for FY 2017 and an increase based on CPI for FY 2018 and FY 2019. The Office of Revenue Analysis expects the CPI-based increases to be around 2.4 percent.

<b>Current and Proposed TANF Benefit Increases, FY 2017 - FY 2019</b>			
	FY 2017	FY 2018	FY 2019
Current Policy	46%	2.4%*	2.4%*
Proposed Policy (BSA Subtitle V-A)	15.3%	13.3%	11.8%

\*The scheduled increases for FY 2018 and FY 2019 are based on the CPI-U. ORA projects that this will be 2.4 percent.

The increases will apply to TANF cash benefits as well as general assistance for children and interim disability assistance.

#### **Financial Plan Impact**

The proposed FY 2016 budget allocates to the Department of Human Services (DHS) budgeted about \$66 million to pay for TANF cash benefits, general assistance for children, and interim disability assistance. About \$21 million of this will come from local funds.

The proposed benefit increases will not have an impact on the FY 2014 budget, but will increase expenditures beginning FY 2017. The costs for FY 2017 through FY 2019 will be paid for entirely with local funds. The amount of local funds needed to pay for the increased benefits will grow from \$31 million in FY 2017 to \$41 million in FY 2018 to \$51 million in FY 2019.

These cost estimates assume that the number of people receiving benefits will remain the same from FY 2016 to FY 2019. This is a conservative estimate since the average number of people receiving TANF benefits has decreased slightly each year since FY 2012.

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<sup>38</sup> By amending Section 552(d) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(d)).

<sup>39</sup> Published by the Bureau of Labor Statistics.

<b>Cost of TANF Cash Benefits, General Assistance for Children, and Interim Disability Assistance Under Policy Proposed in Subtitle (V)(A), FY 2016 - FY 2019 (dollars in millions)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Four-Year Total</b>
Total cost	\$65.7	\$75.7	\$85.8	\$95.9	\$323.2
Cost paid for with local funds	\$20.7	\$30.7	\$40.8	\$50.9	\$143.1

The Office of Revenue Analysis estimates that the proposed policy will save about \$37 million in local dollars over the four-year financial plan period compared to the current policy, which calls for a 46 percent benefit increase in FY 2017 and increases tied to the CPI in FY 2018 and FY 2019.

### **Subtitle (V)(B) – Medical Assistance Program Emergency Amendment Act of 2015**

#### **Background**

This subtitle allows<sup>40</sup> the Department of Health Care Finance (DHCF) to submit to the federal Centers for Medicaid and Medicare Services (CMS) the state plan amendments, modifications, or waivers required to:

- Implement needed amendments to the ICF/IDD reimbursement methodology to ensure compliance with federal law; and
- Implement needed amendments to the payment methodology for hospital services.

Under current law DHCF must submit all Medicaid state plan amendments and waivers to the District of Columbia Council for a 30 day passive review before sending them to CMS. This subtitle would waive Council review for the initiatives listed above, which would speed up the approval and implementation of these items.

#### **Financial Plan Impact**

Discontinuing legislative oversight of proposed state plan amendments and waivers does not have a fiscal impact; however, it would eliminate some analytical review of these proposals, including legal sufficiency review and fiscal impact analysis.

Federal and District anti-deficiency laws<sup>41</sup> prohibit District officers and employees from exceeding agency appropriations in any fiscal year, so DHCF would still need to budget and appropriate funds required to implement the amendments and waivers or absorb future costs in its budget and financial plan, and the Agency Fiscal Officer would still need to certify that funds are sufficient for implementation.

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<sup>40</sup> By amending Section 1(a) of an Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744: DC Official Code § 1-307.02(a)).

<sup>41</sup> 31 U.S.C. § 1341 (2007) and D.C. Official Code § 47-355.01 *et seq.* (2001).

## **TITLE VI – TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

### **Subtitle (VI)(A) – Performance Parking Zone Amendment Act of 2015**

#### **Background**

In 2008,<sup>42</sup> the District Department of Transportation (DDOT) launched two performance parking zones, one in Columbia Heights, and the other around the baseball stadium in Southeast D.C. These zones, and the subsequently added H Street zone, charge on-street parking prices that change with parking demand. For example, during a Nationals baseball game, the parking meters near the stadium charge \$1.50 for the first hour, \$4.00 for each of the next two hours, and \$8.00 for the fourth hour. During non-baseball game operations, those meters charge \$1.50 per hour.

The subtitle establishes parameters for a new performance parking zone in the Penn Quarter and Chinatown neighborhoods.<sup>43</sup> DDOT began<sup>44</sup> setting up this zone in 2014 with the help of a Federal Highway Administration (FHWA) grant. In this zone, DDOT will set rates so that 10 percent to 20 percent of all curbside spaces are available for parking at any given time. DDOT will also staff the zone with the necessary parking and traffic control officers. The program will begin with a thirty-day warning period before drivers receive parking tickets so drivers can grow accustomed to the new parking meter technology.

Additionally, the subtitle establishes maximum parking fees for all performance parking zones. No zone can implement more than a \$1.50 per hour increase over a three-month period and no hourly rate can be greater than \$8.00 per hour.

#### **Financial Plan Impact**

Given the 10 to 20 percent available parking space target parking meter rates will increase and decrease with demand changes across the day. The rates will be adjusted quarterly. Because rates could increase or decrease, any affects parking meter revenues are unknown. DDOT will account for locational anomalies, such as a high presence of law enforcement and government vehicles, to ensure that those do not artificially affect meter rates.

DDOT is implementing the program for \$1.5 million; \$1.1 million of which is coming from an FHWA grant. Additionally, the new parking zone is not expected to affect DDOT's parking meter maintenance or the pay-by-phone contracts.

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<sup>42</sup> Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*).

<sup>43</sup> The new Zone will be bounded by 3<sup>rd</sup> Street, N.W. on the east, E Street, N.W. on the south, 11<sup>th</sup> Street, N.W. on the west, and H Street, N.W. on the north.

<sup>44</sup> DDOT has begun to install the equipment necessary for the zone, but has not made any meter rate adjustments.

Currently, the \$8.00 per hour maximum rate will only prevent the last hour of parking in the ballpark zone during ballpark events from increasing. All other zones are much lower than \$8.00 per hour and are unlikely to be affected.<sup>45</sup>

The fiscal impact of the subtitle is incorporated into the proposed FY 2016 through FY 2019 budget and financial plan.

### **Subtitle (VI)(B) – Unlawfully Parked Vehicles Amendment Act of 2015**

#### **Background**

The subtitle authorizes District Department of Transportation (DDOT) traffic control officers to enforce parking meter violations on Washington Metropolitan Area Transit Authority (WMATA) property in the District. WMATA has eight parking lots in the District totaling over 660 metered spaces.

#### **Financial Plan Impact**

WMATA's current enforcement of its parking lots is extremely limited, so any new enforcement by DDOT will generate additional non-tax revenues for the District. However, the level of non-compliance by parkers is currently unknown and the additional revenues cannot be quantified at this time. DDOT will enforce the lots with its current enforcement staff.

### **Subtitle (VI)(C) – District Department of Transportation DC Streetcar Enforcement Amendment Act of 2015**

#### **Background**

The subtitle authorizes the District Department of Transportation (DDOT) to enforce violations related to the operation of the DC Streetcar. Current DC Streetcar regulations incorporate prohibited activities, such as a prohibition on damaging the streetcar system or preventing the operation of a streetcar,<sup>46</sup> but there are no associated fines and there is no designated enforcement authority.

#### **Financial Plan Impact**

DDOT does not have a definitive plan for streetcar operations and additional regulations are needed to establish a fine schedule. DDOT can absorb any enforcement costs within its existing resources. Additionally, no new enforcement revenues are being projected for streetcar violations.

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<sup>45</sup> Columbia Heights and H Street maximum rates are \$2.00 per hour during premium parking times (6:30 pm to 10:00 pm) and \$0.75 per hour at all other times.

<sup>46</sup> Damaging or Tampering with the Streetcar System (18 DCMR § 1604).

### **Subtitle (VI)(D) – Vision Zero Fund Establishment Act of 2015**

#### **Background**

The subtitle establishes the new, non-lapsing Vision Zero Pedestrian and Bicycle Safety Fund (Fund). The District Department of Transportation (DDOT) will use the funds to improve bicycle and pedestrian roadway safety. The Fund will receive \$500,000 from automated traffic enforcement revenues. This Fund replaces the Pedestrian and Bicycle Safety and Enhancement Fund<sup>47</sup> and provides a consistent level of funding.

Vision Zero originated in Sweden<sup>48</sup> and aims for zero traffic-related fatalities and serious injuries through the implementation of safety-focused transportation system design. The District has set a goal of zero traffic-related fatalities and serious injuries by 2024.<sup>49</sup>

#### **Financial Plan Impact**

The Fund will receive \$500,000 annually in revenue from automated traffic enforcement revenues. Currently, these revenues are directed to the General Fund, so there is a corresponding reduction in General Fund revenues to accommodate this annual transfer. Additionally, elimination of the Pedestrian and Bicycle Safety and Enhancement Fund allows its dedicated funding stream<sup>50</sup> of approximately \$300,000 annually to remain in the General Fund.

### **Subtitle (VI)(E) – Local Transit Committee Amendment Act of 2015**

#### **Background**

The subtitle establishes an interagency transit committee to oversee and approve DC Circulator,<sup>51</sup> DC Streetcar,<sup>52</sup> and other non-regional public transportation plans. The Local Transit Committee ("Committee") will provide input on and has approval authority over decisions related to fare structures and changes, system development plans, and existing system management. The Committee shall be composed of the Deputy Mayor for Planning and Economic Development (chairperson), City Administrator, Director of the District Department of Transportation (DDOT), Director of the Office of Planning, Director of the District Department of the Environment, Director of the Office of Disability Rights, and the Director of the Mayor's Office of Budget and Finance or any of their designees.

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<sup>47</sup> Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131).

<sup>48</sup> <http://www.visionzeroinitiative.com/>

<sup>49</sup> <http://mayor.dc.gov/release/mayor-bowser-announces-multi-million-dollar-investment-intersection-mlk-malcolm-x-part>

<sup>50</sup> This Fund currently receives the revenues from fine increases and new fines associated with the violations outlined in Section 3 of the Pedestrian Safety Reinforcement Amendment Act of 2008 (D.C. Law 17-269; D.C. Official Code § 50-2201.28).

<sup>51</sup> D.C. Law 16-225; D.C. Official Code § 50-921.31 *et seq.*

<sup>52</sup> D.C. Law 19-268; D.C. Official Code § 50-921.71 *et seq.*

The Honorable Phil Mendelson

FIS: "Fiscal Year 2016 Budget Support Act of 2015," Draft legislation shared with the Office of Revenue  
Analysis on April 3, 2015

The Committee will not provide input on minor modifications to service development plans, fares, and schedules and any other decisions where the Committee cedes authority to DDOT so long as DDOT regularly reports to the Committee on what those decisions are.

### **Financial Plan Impact**

Any costs associated with implementation of the Committee, giving it oversight and approval authority, and any Committee meetings can be absorbed within the existing budget.

## **Subtitle (VI)(F) – Sustainable Energy Trust Fund Amendment Act of 2015**

### **Background**

The subtitle adds the Low Income Home Energy Assistance Program (LIHEAP) as an eligible expenditure under the Sustainable Energy Trust Fund (SETF) for FY 2016. LIHEAP provides some residents with financial assistance to pay heating and cooling bills based on their household, income, and home characteristics.

### **Financial Plan Impact**

Implementation of LIHEAP will cost approximately \$1.5 million in FY 2016. SETF has sufficient fund balance and budget authority<sup>53</sup> to absorb this cost.

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<sup>53</sup> The Fiscal Year 2015 Budget Request Act of 2014, enacted July 11, 2014 (D.C. Act 20-370; 61 DCR 7187) authorized the expenditure of all funds in the Sustainable Energy Trust Fund without regard to fiscal year until funds are fully expended.



## **TITLE VII– FINANCE AND REVENUE**

### **Subtitle (VII)(A) – Subject to Appropriations Amendment Act of 2015**

#### **Background**

The subtitle authorizes expenditures for the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013,<sup>54</sup> which created the Mayor's Office of Legal Counsel and made organizational changes to the Office of Attorney General and legal staff throughout the District government.

Additionally, the subtitle repeals the DC Promise Establishment Act of 2014<sup>55</sup> ("DC Promise") in its entirety. DC Promise established a grant program to help District students pay tuition or other eligible costs to attend a post-secondary institution of higher learning. However, it was passed subject to appropriations and never funded.

#### **Financial Plan Impact**

The Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013 established the Mayor's Office of Legal Counsel, but this office was not funded at the time of passage. The office is now funded.<sup>56</sup>

Repealing the DC Promise Establishment Act of 2014 has no impact on the budget and financial plan, as it is not currently funded.

### **Subtitle (VII)(B) – Prior Budget Act Amendments of 2015**

The subtitle eliminates the requirement<sup>57</sup> that the Office of the Chief Financial Officer produce a Children's Budget report outlining services directed toward children. It also repeals the Healthy Tots Act of 2014,<sup>58</sup> which provided local subsidies to child development facilities<sup>59</sup> participating in the Child and Adult Care Food Program<sup>60</sup> to encourage high nutritional standards at facilities.

The subtitle also requires Council approval when the cumulative capital project reprogrammings in a given fiscal year change a project budget by more than \$500,000. Currently, Council approval is

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<sup>54</sup> Section 1014(c) of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990).

<sup>55</sup> DC Promise Establishment Act of 2013, effective June 4, 2014 (D.C. Law 20-107; 61 DCR 5899).

<sup>56</sup> The office was funded in FY 2015 via a reprogramming dated October 8, 2014.

<sup>57</sup> Section 1002 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503).

<sup>58</sup> Title IV, Subtitle H of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990).

<sup>59</sup> Child development facilities are defined in the law "a community-based center, home, or other structure that provides care and other services, supervision and guidance for infants, toddlers, and preschoolers on a regular basis, regardless of its designated name." It does not include a public or private school-sponsored or school-run child development center or program.

<sup>60</sup> CACFP is authorized by Section 17 of the National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1975, approved October 7, 1975 (Pub. L. 94-105; 42 U.S.C. § 1766).

required<sup>61</sup> if cumulative reprogrammings change the budget by more than \$500,000 at any point during the lifetime of the project, and not in a single fiscal year.

Lastly, the subtitle makes the Department of Parks and Recreation (DPR) Enterprise Fund,<sup>62</sup> which supports DPR programs, administration, and property maintenance, non-lapsing. The fund currently lapses at the end of the fiscal year, and unspent revenue are returned to the General Fund.

### **Financial Impact**

The repeal of the Healthy Tots Act of 2014 reduces the budget of the Office of the State Superintendent of Education (OSSE) by \$3.1 million; this is reflected in the proposed FY 2016 through 2019 budget and financial plan. The remaining sections of the subtitle do not have an impact on the District's budget and financial plan.

### **Subtitle (VII)(C) – Sales Tax Amendment Act of 2015**

The subtitle increases the District's general sales<sup>63</sup> and use<sup>64</sup> tax rate, including the rate on sales by theaters or entertainment venues with 10,000 or more seats,<sup>65</sup> from 5.75 percent to 6 percent. It also increases the tax on gross receipts from parking or storing of motor vehicles or trailers in commercial lots<sup>66</sup> ("parking tax") from 18 percent to 22 percent.

### **Financial Impact**

This subtitle will increase local revenue by \$32.1 million in FY 2016 and \$133 million over the FY 2016 through FY 2019 budget and financial plan. District law dedicates<sup>67</sup> parking tax revenue to the Washington Metropolitan Area Transit Authority Dedicated Tax Fund. Thus the incremental revenue from the parking tax increase-- \$9.8 million in FY 2016, and \$41.3 million over the FY 2016 through FY 2019 budget and financial plan—will be transferred to this fund, freeing other local resources currently used for the WMATA subsidy.

<b>Fiscal impact of Subtitle (VII)(C) Sales Tax Amendment of 2015</b>					
<b>FY 2016-FY 2019 (\$ thousands)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2016 – FY 2019</b>
Increase general sales tax rate from 5.75 to 6 percent	\$22,227	\$23,108	\$23,005	\$23,695	\$92,035
Increase commercial parking tax rate from 18 percent to 22 percent	\$9,884	\$10,181	\$10,486	\$10,801	\$41,352
<b>Total Additional Revenues</b>	<b>\$32,111</b>	<b>\$33,289</b>	<b>\$33,491</b>	<b>\$34,496</b>	<b>\$133,387</b>

Source: Estimate by Office of Revenue Analysis

<sup>61</sup> D.C. Official Code § 47-363(a).

<sup>62</sup> D.C. Official Code § 10-303.

<sup>63</sup> D.C. Official Code § 47-2002(a).

<sup>64</sup> D.C. Official Code § 47-2202.

<sup>65</sup> Excluded from the tax are theaters and entertainment venues from which taxes are applied to pay debt service on tax-exempt bonds. See D.C. Official Code § 47-2002(4A).

<sup>66</sup> D.C. Official Code § 47-2002(a)(1).

<sup>67</sup> D.C. Official Code § 47-2002.07.

### **Subtitle (VII)(D) – Married Filing Separately Standard Deduction Act of 2015**

The subtitle sets the standard deduction on an income tax return by a married person filing separately to be half the amount allowed for a married person filing jointly. Currently, the combined deduction of married persons filing separately is \$10,400,<sup>68</sup> and larger than the deduction for married persons filing jointly, which is \$8,350.

#### **Financial Impact**

Eliminating the larger deduction for married persons filing separately will increase income tax revenue by an estimated \$1.1 million per year.

<b>Fiscal impact of Subtitle (VII)(D) Married Filing Separately Standard Deduction Act of 2015</b>					
<b>FY 2016-FY 2019 (\$ thousands)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2016 – FY 2019</b>
Increase in income tax revenue	\$1,100	\$1,100	\$1,100	\$1,100	\$4,400

Source: Estimate by Office of Revenue Analysis

### **Subtitle (VII)(E) – Low Income Credit Act of 2015**

A taxpayer with income below the federal minimum filing requirement receives a credit against District income tax on income equal to or below the federal minimum filing requirement. Currently, there are no limitations on the credit for part-year resident filers or for individuals who with business or pass-through income reported on a District franchise tax return. Therefore, those who are making more than the federal minimum income on an annual basis may receive the credit.

The subtitle prorates the credit for part-time residents to limit the use of the credit by those individuals whose aggregate income, including pass-through income, exceeds the federal minimum income filing requirement.

#### **Financial Impact**

Adjusting the credit for part-time residents and limiting the credit for those with other income will increase income tax revenue by approximately \$500,000 in FY 2016 and by \$2 million over the FY 2016 through FY 2019 budget and financial plan.

<b>Fiscal impact of Subtitle (VII)(E) Low Income Credit Act of 2015</b>					
<b>FY 2016-FY 2019 (\$ thousands)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2016 – FY 2019</b>
Increase in Income Tax Revenue	\$457	\$485	\$514	\$545	\$2,091

Source: Estimate by Office of Revenue Analysis

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<sup>68</sup> D.C. Official Code § 47-1801.04(A).

### **Subtitle (VII)(F) – Vapor Product Amendment Act of 2015**

The subtitle taxes e-cigarettes, and similar vapor products containing nicotine, at the same rate as "other tobacco products."<sup>69</sup> Vapor products are defined in the subtitle as any vapor cartridge or container of nicotine in a solution that is intended to be used with an electronic cigarette, cigar, cigarillo, pipe, or similar product or device. Currently, these products are taxed at the standard sales tax rate of 5.75 percent while "other tobacco products" are taxed at a calculated rate<sup>70</sup> similar to cigarettes.

#### **Financial Impact**

Applying the "other tobacco product" tax rate to e-cigarettes will increase excise tax revenue by approximately \$380,000 in FY 2016 and by \$2 million over the financial plan period.

<b>Fiscal impact of Subtitle (VII)(F) Vapor Product Amendment Act of 2015</b>					
<b>FY 2016-FY 2019 (\$ thousands)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2016 – FY 2019</b>
Increased excise tax revenue from taxing e-cigarettes or "vapor products" the same as tobacco	\$382	\$458	\$550	\$659	\$2,049

Source: Estimate by Office of Revenue Analysis

### **Subtitle (VII)(G) – Notice of Proposed Audit Changes Requirement Act of 2015**

Under current law, the Office of Tax and Revenue (OTR) must inform a taxpayer 60 days in advance of reassessing taxes because of an audit finding. OTR must first notify the taxpayer that there is an audit finding on the taxpayers filing, and then then notify the same payer of the reassessed taxes related to the audit. Each notification requires a 30-day advance.

Under current law, the statute of limitations on tax audits is three years. The proposed subtitle would stop limitations from running when the taxpayer receives the notice of proposed audit findings.

#### **Financial Impact**

The Office of Tax and Revenue uses many different kinds of audits, including sales and corporate income tax audit reports by the Multistate Tax Commission and IRS Section 482 audits (on the allocation of income and deductions) to improve compliance. These reports generally arrive close to the end of the statute of limitations and if they arrive in the last 60 days of the three-year period, the Office of Tax and Revenue cannot use these reports, impairing the agency's ability to use its own audits as well. This subtitle will allow the Office of Tax and Revenue more time to assess tax audits

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<sup>69</sup> Other tobacco products include any product made from tobacco that is not a cigarette or premium cigar that is intended to be expected or consumed. See D.C. Official Code § 47-2401(5A).

<sup>70</sup> "Other tobacco products" are taxed at a rate similar to cigarettes. Specifically, the cigarette tax and surtax on a pack of 20 cigarettes expressed as a percentage of the average wholesale price of a package of 20 cigarettes, which is recalculated annually. See D.C. Official Code § 47-2402.01.

and reduce the number of situations where audits are completed after the date a notification of an assessment must be sent to the taxpayer. This additional time is estimated to generate \$2 million revenue in corporate income taxes annually beginning FY 2016.

<b>Additional Revenues From Notice of Proposed Audit Changes Requirement Act of 2015</b>					
<b>FY 2016-FY 2019 (\$ thousands)</b>					
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2016 – FY 2019</b>
Increased income tax revenue from lengthening statute of limitations	\$2,000	\$2,000	\$2,000	\$2,000	\$8,000

Source: Estimate by Office of Revenue Analysis

### **Subtitle (VII)(H) – Fiscal Year 2015 Fire and Emergency Medical Services Department Settlement Act**

#### **Background**

The District is negotiating an expected settlement with the District of Columbia Public Employee Relations Board (PERB), as a result of a District of Columbia Court of Appeals decision<sup>71</sup> in a lawsuit between the Fire and Emergency Medical Services Department and PERB.

The subtitle authorizes the use of any FY 2015 surplus funds certified by the Office of the Chief Financial Officer to pay the settlement.

#### **Financial Plan Impact**

The exact cost of the settlement and timing of payments are not yet known. Payment from FY 2015 surplus funding would reduce the amount that would be applied to cash reserves of the District of Columbia.

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<sup>71</sup> District of Columbia Fire Emergency Medical Services Department v. District of Columbia Public Employee Relations Board, Nos. 12-CV-1813, 12-CV-1910, (D.C., 2014).

## TITLE VIII- CAPITAL BUDGET

### **Subtitle (VIII)(A) – Fiscal Year 2016 Capital Project Reallocation Approval Act of 2015**

#### **Background**

The proposed subtitle authorizes the Office of the Chief Financial Officer (OCFO) to reallocate approximately \$105.5 million in currently held general obligation bond balances from the capital projects with slow activity to four projects with insufficient bond balances to cover expenditures. The reallocation does not change costs or authorized budget amount, but it directs capital funds in hand to projects that are most likely to spend them. In this way, the District can make better use of the bonds held in escrow (at a low interest rate), avoid some future borrowing, and improve cash flow. The sources and uses of these funds are shown in the two tables below.

<b>Subtitle (VIII)(A) – Projects that will serve as source of financing</b>		
<b>TABLE A</b>		
<b>Agency (owner)</b>	<b>Project Title</b>	<b>Total</b>
<b>Commission on Arts and Humanities</b>	Arts & Humanities Grants & Projects	\$4,781,542
<b>D.C. Public Library</b>	Library Improvements	\$12,460
<b>Department Behavioral Health</b>	Construct New SEH In-Patient	\$5,759,993
<b>Department of Corrections</b>	HVAC Replacement	\$210,299
<b>Department of General Services</b>	One Judiciary Square Roof	\$566,687
<b>Department of Parks and Recreation</b>	Barry Farm Recreation Center	\$177,483
	Congress Heights Modernization	\$26,761
<b>Department of Public Works</b>	Upgrade to DPW Fueling Sites	\$76,427
<b>Deputy Mayor for Education</b>	Language Immersion MS/HS Facility Grant	\$3,000,000
<b>Deputy Mayor for Planning and Economic Development</b>	Economic Development Pool	\$347,460
	St Elizabeths Infrastructure	\$41,196,793
<b>District Department of Transportation</b>	Advanced Design and Planning	\$1,532,146
	Alley Maintenance	\$555,981
	Non-Participating Highway Trust Fund Support	\$7,430,163
<b>District of Columbia Public Schools</b>	Cardozo HS Modernization	\$12,304,377
	Challenger Center For Space Education	\$1,500,000
	Drew ES Modernization/Renovation	\$511,155
	Dunbar SHS Modernization	\$5,184,020
<b>Fire and Emergency Management Services</b>	Emergency Communication Systems	\$16,841
	Engine Company 23 Renovation	\$2,886,745
<b>Metropolitan Police Department</b>	Tactical Village Training Facility	\$758,832
<b>Office of Planning</b>	District Public Plans and Studies	\$10,067,919
<b>Office of the Chief Financial Officer</b>	SOAR Replacement	\$1,713,177
<b>Special Education Transportation</b>	Special Education Transportation Center	\$4,840,628
<b>Grand Total</b>		<b>\$105,457,889</b>

**Subtitle (VIII)(A) – Projects that will use financing**  
**TABLE B**

<b>Agency (owner)</b>	<b>Project Title</b>	<b>Total</b>
<b>District of Columbia Public Schools</b>	Ballou Senior High School	\$25,785,083
	Modernizations & Renovations	\$49,043,173
	Roosevelt Senior High School	\$20,223,161
<b>WMATA</b>	WMATA Fund - Passenger Rail Investment and Improvement Act	\$10,406,472
<b>Grand Total</b>		<b>\$105,457,889</b>

### **Financial Impact**

The proposal is incorporated into the proposed FY 2016 through FY 2021 Capital Improvement Plan. The reallocation would neither increase nor decrease the budget authority for any one of the capital budget projects cited in the legislation. The intent is only to reallocate available bond balances where they are needed, making more efficient use of District resources.

### **Subtitle (VIII)(B) – McMillan Redevelopment Proceeds Amendment Act of 2015**

### **Background**

In 2014, the District disposed of the McMillan Sand Filtration Site and approved its use for commercial and residential development.<sup>72</sup> As a part of the Land Development Agreements between the District, and the developer for the site, Vision McMillan Partners, LLC, the District will sell the property to the developer and use the proceeds to prepare the site for development. Under current law, any proceeds from the sale would revert to the General Fund and would not automatically be dedicated to this development. The proposed subtitle dedicates the proceeds from the sale to the McMillan project.<sup>73</sup>

### **Financial Impact**

The estimated sales price for the McMillan site is \$27 million. The project's funding plan had already incorporated the use of the proceeds from the land sale. The subtitle makes the required changes to the District laws so the proceeds can be dedicated to the McMillan project.

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<sup>72</sup> The District approved four public resolutions (R20-704, R20-705, R20-706, and R20-707) to approve the disposition of the property and the development of commercial, residential, and multi-family units. These resolutions are effective beginning December 2, 2014.

<sup>73</sup> The capital fund account associated with the McMillan Site Redevelopment is EB0-AMS11C.

**Subtitle (VIII)(C) – Department of Transportation Capital Budget Allocation Authority Amendment Act of 2015**

**Background**

Currently, in its budget request from the U.S. Congress, the District groups similar capital projects that could be funded from the Highway Trust Fund under a single master project (for example road improvement, bridges, etc.). This is because at the time the budget request is sent to the Congress, we may not know which capital projects will be ready to move forward or will be accelerated or delayed in the upcoming fiscal year.

Before spending these funds, the Director of the District Department of Transportation (DDOT) must first identify the projects (known as "Related Projects") under each master project,<sup>74</sup> and then request from the Office of Budget and Planning (OBP) that appropriations under each master project is allocated to each of these Related Projects.<sup>75</sup> Once allocated, there could be no change to the spending plan for these funds. Therefore, if a Related Project is completed under budget, no mechanism exists for the District to shift the excess funds to other projects under the master project.

The subtitle allows DDOT to request that OBP reallocate funds from a Related Project back to the master project. This would ensure that any unspent amounts could be put to use in other Related Projects within a master project.

**Financial Impact**

The subtitle allows for additional flexibility so DDOT can reallocate unspent funds across different capital projects funded by the Highway Trust Fund. There is no fiscal impact associated with this change.

**Subtitle (XIII)(D) – Pay-as-you-go Capital Account Amendment Act of 2015"**

**Background**

Under current law, each year beginning 2016 (in preparation for the FY 2017 budget), the Paygo Capital Account would receive a quarter of the increases in the District's revenue. The increment is measured as the change in projected revenues from the February revenue certification letter from the revenues for the same fiscal year in the previous February's certification letter.<sup>76</sup> The subtitle pushes this requirement to 2019, so the first time the Paygo Capital Account could receive these funds would be FY 2020.

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<sup>74</sup> These are projects the Federal Government must approve for the Highway Trust Fund monies.

<sup>75</sup> D.C. Official Code § 50-921.02(e).

<sup>76</sup> Required as per D.C. Official Code 47-392.02(f)(2).



The Honorable Phil Mendelson

FIS: "Fiscal Year 2016 Budget Support Act of 2015," Draft legislation shared with the Office of Revenue  
Analysis on April 3, 2015

### Financial Impact

Delaying the implementation of the required Paygo Capital Account by three years will eliminate the planned transfers to the Paygo Capital Account for Fiscal Years 2017 through 2019. Under current law, the Paygo Capital Account would have received \$55 million to \$56 million each year between FY 2017 and FY 2019. Under the proposal, these amounts will remain available for any use.

Transfers to Paygo Capital Account from 25 percent of revenue increases from February to February FY 2016 through FY 2021, in \$ millions							
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	TOTAL
Current Law	\$0	\$55,917	\$55,077	\$56,672	\$59,908	\$61,825	\$289,398
Proposal	\$0	\$0	\$0	\$0	\$59,908	\$61,825	\$121,732
Difference	\$0	(\$55,917)	(\$55,077)	(\$56,672)	\$0	\$0	(\$167,666)

## **TITLE IX- ADDITIONAL REVENUE CONTINGENCY LIST**

### **Subtitle (IX)(A) – Revised Revenue Estimate Contingency Priority List Act of 2015**

#### **Background**

This subtitle allocates the additional FY 2016 revenues that might be certified in the Chief Financial Officer's June 2016 revenue certification to the following new expenditures and tax expenditure initiatives, as outlined below:

<b>Revised Revenue Estimate Adjustment Allocation (New Expenditures and Tax Expenditures) FY 2015</b>	
	<b>FY 2015</b>
Department of Health Care Finance <sup>1</sup>	\$9,000,000
General Fund Revenue – sales tax <sup>2</sup>	\$22,227,000
General Fund Revenue - parking tax <sup>3</sup>	\$9,885,000
District of Columbia Public Library <sup>4</sup>	\$950,000
Department of General Services <sup>5</sup>	\$4,700,000
General Fund Revenue <sup>6</sup>	\$4,800,000
University of the District of Columbia <sup>7</sup>	\$3,550,000
<b>Total</b>	<b>\$55,112,000</b>

#### **Table notes**

<sup>1</sup>To restore hospital fee-for-service inpatient rates to 98 percent of cost.

<sup>2</sup>To reduce the sales and use tax rate to 5.75 percent.

<sup>3</sup>To reduce the sales tax rate on parking to 18 percent.

<sup>4</sup>To restore funding for library books.

<sup>5</sup>To restore funding for facility operations and maintenance.

<sup>6</sup>To repeal the sales tax on health clubs.

<sup>7</sup>To restore subsidy funding to the Flagship University and Community College.

The subtitle requires that each of these items be funded on a recurring basis if sufficient revenue is identified in the financial plan to cover the costs. If the financial plan revenue cannot cover the recurring costs, then the items would be funded only for one time.

#### **Financial Plan Impact**

The proposals on the contingency list will only become effective, in the order presented in the table, if the June 2015 revenue certification exceeds the revenues that balance the proposed FY 2015 budget. The full amount of funding must be identified to allocate any resources to the items listed in subsection.

## **TITLE X – SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS**

### **Subtitle (X)(A) – Local and Special Purpose Revenue Fund Amendment Act of 2015**

#### **Background**

The subtitle repeals the Fraud Prevention Fund.<sup>77</sup> The Fund, established as a part of policies to protect seniors from telephone fraud, was established to hold fees and fines collected from telemarketers who make money using false claims through telephone marketing, which will then be used for education and public awareness programs.<sup>78</sup>

#### **Financial Impact**

The Fraud Prevention Fund was never created therefore repealing it will not have a fiscal impact.

### **Subtitle (X)(B) – Designated Fund Transfer Act of 2015**

#### **Background**

The subtitle would allow the District to use the balances of various funds as a source of revenue in Fiscal Years 2016 through 2018. The subtitle would use the balances of one budget reserve, three dedicated revenue funds (all under Department of Health Care Finance), and 13 special purpose funds, totaling \$67.2 million.

<b>Fiscal Impact of Subtitle (X)(B) – Designated Fund Transfer Act of 2015 - Designated Fund Balances</b>		
<b>Agency</b>	<b>Fund Name</b>	<b>Amount</b>
<b><u>Budget Reserves:</u></b>		
<b>Office of Planning</b>	Historic Landmark District Protection Fund	1,250,000
<b><u>Dedicated Taxes:</u></b>		
<b>Department of Health Care Finance</b>	Nursing Homes Quality of Care Fund	4,978,020
	Healthy DC Fund	22,991,412
	Stevie Sellows	2,522,743
	<b>Total</b>	<b>30,492,175</b>
<b><u>Purpose Restrictions:</u></b>		
<b>Office of the Chief Financial Officer</b>	OFT Central Collection Unit	8,000,000
<b>Department of Consumer and Regulatory Affairs</b>	OPLA - Special Account	500,000
	Board of Engineers Fund	500,000
	Corporate Recordation Fund	500,000
	Cable Franchise Fees	5,500,000

<sup>77</sup> The subtitle repeals Section 102(c) of the Seniors Protection Amendment Act of 2000, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-3226.14.)

<sup>78</sup> Seniors Protection Amendment Act of 2000, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-3226.14.)

The Honorable Phil Mendelson

FIS: "Fiscal Year 2016 Budget Support Act of 2015," Draft legislation shared with the Office of Revenue Analysis on April 3, 2015

<b>Fiscal Impact of Subtitle (X)(B) - Designated Fund Transfer Act of 2015 - Designated Fund Balances</b>		
<b>Agency</b>	<b>Fund Name</b>	<b>Amount</b>
<b>Office of Victim Services</b>	Crime Victims Assistance Fund	2,558,661
<b>Department of Corrections</b>	Correction Trustee Reimbursement	4,170,231
	Correction Reimbursement-Juveniles	922,547
<b>Department of Health Care Finance</b>	Medicaid Collections-3rd Party Liability	3,905,187
<b>Department of Disability Services</b>	Cost of Care-Non-Medicaid Clients	1,447,622
<b>District Department of the Environment</b>	Sustainable Energy Trust Fund	3,500,000
	Energy Assistance Trust Fund	500,000
<b>Department of Motor Vehicles</b>	Motor Vehicle Inspection Station	3,478,223
	<b>Total</b>	<b>35,482,471</b>
<b>TOTAL</b>		<b>67,224,646</b>

### **Financial Impact**

The proposed budget and financial plan includes \$27.2 million of fund balance use in Fiscal Year 2016 and \$20 million each in fiscal years 2017 and 2018.

Draft committee print  
Committee of the Whole  
May 27, 2015

A BILL

21-158

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend provisions of law necessary to support the Fiscal Year 2016 budget.

TABLE OF CONTENTS

<b>TITLE I. GOVERNMENT DIRECTION AND SUPPORT .....</b>	<b>6</b>
<b>SUBTITLE A. BONUS AND SPECIAL PAY LIMITATION.....</b>	<b>6</b>
<b>SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT .....</b>	<b>8</b>
<b>SUBTITLE C. OFFICE OF LGBTQ AFFAIRS AMENDMENT.....</b>	<b>10</b>
<b>SUBTITLE D. ATTORNEY GENERAL AUTHORITY AND LITIGATION FUND .....</b>	<b>13</b>
<b>SUBTITLE E. OFFICE ON AGING REPORTING REQUIREMENTS .....</b>	<b>21</b>
<b>SUBTITLE F. GRANTS ADMINISTRATION .....</b>	<b>22</b>
<b>SUBTITLE G. INDEPENDENT INVESTIGATION DEBARMENT AUTHORITY .....</b>	<b>27</b>
<b>SUBTITLE H. DISTRICT CULTURAL PLAN .....</b>	<b>29</b>
<b>SUBTITLE I. BEGA BOARD SIZE .....</b>	<b>32</b>
<b>TITLE II. ECONOMIC DEVELOPMENT AND REGULATION .....</b>	<b>33</b>
<b>SUBTITLE A. DSLBD MICRO LOAN AMENDMENT.....</b>	<b>33</b>
<b>SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT .....</b>	<b>34</b>
<b>SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT .....</b>	<b>42</b>
<b>SUBTITLE D. YOUTH EMPLOYMENT AND WORK READINESS TRAINING.....</b>	<b>45</b>
<b>SUBTITLE E. LOCAL RENT SUPPLEMENT AMENDMENT .....</b>	<b>49</b>
<b>SUBTITLE F. AFFORDABLE HOMEOWNERSHIP .....</b>	<b>50</b>
<b>SUBTITLE G. SIDEWALK CAFE AND SUMMER GARDEN ENDORSEMENT .....</b>	<b>50</b>
<b>SUBTITLE H. ENTERTAINMENT AND MEDIA PRODUCTION AND DEVELOPMENT AMENDMENT .....</b>	<b>52</b>
<b>SUBTITLE I. LOCAL BUSINESS ENTERPRISE .....</b>	<b>57</b>
<b>SUBTITLE J. SOLAR PERMITTING FEES TECHNICAL AMENDMENT.....</b>	<b>58</b>

34	SUBTITLE K. ELECTRIC COMPANY INFRASTRUCTURE IMPROVEMENT .....	58
35	SUBTITLE L. ADULT CAREER PATHWAYS TASK FORCE AMENDMENT .....	58
36	SUBTITLE M. ADULT CAREER PATHWAYS IMPLEMENTATION .....	60
37	SUBTITLE N. CLEAN TEAM EXTENSION .....	62
38	SUBTITLE O. DC BEAUTIFUL PILOT PROGRAM .....	62
39	SUBTITLE P. GREATER ECONOMIC OPPORTUNITY STRATEGIC PLANNING ....	63
40	SUBTITLE Q. UNIFORM COMMERCIAL CODE BULK SALES CONFORMING	
41	CLARIFICATION .....	64
42	SUBTITLE R. CREATIVE AND OPEN SPACE MODERNIZATION .....	65
43	TITLE III. PUBLIC SAFETY AND JUSTICE .....	66
44	SUBTITLE A. BODY-WORN CAMERA REGULATION AND REPORTING	
45	REQUIREMENTS .....	66
46	SUBTITLE B. CHILD FATALITY REVIEW COMMITTEE AMENDMENT .....	69
47	SUBTITLE C. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND	
48	JUSTICE .....	70
49	SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION COMMISSION	
50	STAFFING .....	71
51	SUBTITLE E. INMATE HEALTHCARE OVERSIGHT .....	71
52	SUBTITLE F. DOC INMATE AND RETURNING CITIZEN ASSISTANCE .....	76
53	TITLE IV. PUBLIC EDUCATION .....	76
54	SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC	
55	SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT .....	76
56	SUBTITLE B. SCHOOLS TECHNOLOGY FUND .....	81
57	SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND .....	82
58	SUBTITLE D. AT-RISK SUPPLEMENTAL ALLOCATION RESERVATION FUND ....	83
59	SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT ....	84
60	SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT .....	85
61	SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION .....	86
62	SUBTITLE H. BOOKS FROM BIRTH .....	87
63	SUBTITLE I. EDUCATION REPORTING REQUIREMENTS .....	90

64	SUBTITLE J. AT-RISK FUNDING AMENDMENT .....	91
65	SUBTITLE K. ENVIRONMENTAL LITERACY PILOT .....	92
66	SUBTITLE L. DISTRICT OF COLUMBIA PUBLIC LIBRARY REVENUE	
67	GENERATING SERVICES.....	93
68	SUBTITLE M. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING .....	95
69	SUBTITLE N. YOUTH BULLYING PREVENTION .....	96
70	SUBTITLE O. EARLY LITERACY GRANT PROGRAM .....	96
71	SUBTITLE P. DEPUTY MAYOR FOR EDUCATION LIMITED GRANT MAKING	
72	AUTHORITY .....	98
73	SUBTITLE Q. PUBLIC CHARTER SCHOOL PAYMENT REPROGRAMMING .....	99
74	SUBTITLE R. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING	
75	MATCH.....	99
76	SUBTITLE S. PUBLIC CHARTER SCHOOL BOARD ADMINISTRATIVE FUND.....	100
77	SUBTITLE T. RAISING EXPECTATIONS FOR EDUCATION AMENDMENT .....	101
78	TITLE V. HEALTH AND HUMAN SERVICES .....	103
79	SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT	103
80	SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS .....	104
81	SUBTITLE C. POWER EXPANSION AMENDMENT .....	105
82	SUBTITLE D. PHARMACEUTICAL DETAILING LICENSURE EXEMPTION .....	106
83	SUBTITLE E. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION.....	107
84	SUBTITLE F. TEEN PREGNANCY PREVENTION FUND .....	108
85	SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL	
86	PAYMENT .....	109
87	SUBTITLE H. MEDICAID HOSPITAL INPATIENT FEE .....	117
88	SUBTITLE I. UNDERSERVED YOUTH COMMUNITY REPROGRAMMING .....	122
89	SUBTITLE J. REPRODUCTIVE HEALTH NON-DISCRIMINATION	
90	CLARIFICATION .....	124
91	TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT.....	124
92	SUBTITLE A. PARKING AMENDMENT .....	124
93	SUBTITLE B. UNLAWFULLY PARKED VEHICLES AMENDMENT.....	127

94	SUBTITLE C. DDOT STREETCAR FARE VIOLATION ENFORCEMENT .....	128
95	SUBTITLE D. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND .....	128
96	SUBTITLE E. SUSTAINABLE ENERGY TRUST FUND AMENDMENT .....	130
97	SUBTITLE F. ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND	
98	CLARIFICATION .....	131
99	SUBTITLE G. BENCHMARKING ENFORCEMENT FUND.....	131
100	SUBTITLE H. BICYCLE AND PEDESTRIAN ADVISORY COUNCIL TERM	
101	CLARIFICATION .....	132
102	SUBTITLE I. BID PARKING ABATEMENT FUND .....	133
103	SUBTITLE J. CLEAN AND AFFORDABLE ENERGYACT AMENDMENT .....	134
104	SUBTITLE K. COMPETITIVE GRANTS .....	136
105	SUBTITLE L. CONGESTION MANAGEMENT STUDY .....	137
106	SUBTITLE M. ELECTRONIC DELIVERY OF NOTICE TO THE COUNCIL AND	
107	ADVISORY NEIGHBORHOOD COMMISSIONS.....	138
108	SUBTITLE N. GREEN INFRASTRUCTURE SPECIAL PURPOSE FUNDS .....	139
109	SUBTITLE O. PEPCO COST-SHARING FUND FOR DC PLUG .....	144
110	SUBTITLE P. PUBLIC SPACE RENTAL FEE WAIVER.....	145
111	SUBTITLE Q. STREETCAR AUTHORIZATION .....	146
112	SUBTITLE R. SUSTAINABLE FOOD SERVICE WARE CLARIFICATION .....	147
113	SUBTITLE S. URBAN FARMING AND FOOD SECURITY .....	150
114	SUBTITLE T. KIDS RIDE FREE METRORAIL BENEFIT .....	152
115	TITLE VII. FINANCE AND REVENUE.....	154
116	SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS.....	154
117	SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS.....	155
118	SUBTITLE C. PARKING TAX CONTINGENCY .....	184
119	SUBTITLE D. LOW INCOME CREDIT AMENDMENT.....	185
120	SUBTITLE E. VAPOR PRODUCT AMENDMENT .....	187
121	SUBTITLE F. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT .....	188



122	SUBTITLE G. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT	
123	OVERTIME SETTLEMENT .....	189
124	SUBTITLE H. BUSINESS IMPROVEMENT DISTRICT TECHNICAL	
125	CLARIFICATION .....	190
126	SUBTITLE I. DISTRICT OF COLUMBIA DEPOSITORY EXPANSION .....	191
127	SUBTITLE J. 4427 HAYES STREET, N.E. REAL PROPERTY TAX ABATEMENT ...	192
128	SUBTITLE K. MARKET BASED SOURCING CLARIFICATION .....	192
129	SUBTITLE L. REAL PROPERTY ASSESSMENT APPOINTMENT CLARIFICATION	196
130	SUBTITLE M. SOUTHWEST BUSINESS IMPROVEMENT DISTRICT	
131	CLARIFICATION .....	196
132	SUBTITLE N. UNIFIED ECONOMIC DEVELOPMENT REPORT CLARIFICATION	198
133	SUBTITLE O. COMBINED REPORTING CLARIFICATION .....	198
134	SUBTITLE P. UNION MARKET DISTRICT TIF .....	201
135	SUBTITLE Q. REAL PROPERTY TAX TRANSFER DEFERRAL .....	204
136	SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING	
137	MATCH .....	205
138	SUBTITLE S. TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF .....	206
139	TITLE VIII. CAPITAL BUDGET .....	207
140	SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION .....	207
141	SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT .....	210
142	SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY	
143	AMENDMENT .....	210
144	SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT .....	211
145	SUBTITLE E. CAPITAL PROJECT REVIEW AND RECONCILIATION .....	211
146	SUBTITLE F. CAPITAL RESCISSIONS .....	215
147	SUBTITLE G. 11 <sup>TH</sup> STREET BRIDGE PARK FUNDING LIMITATIONS .....	218
148	TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND	
149	TRANSFERS .....	219
150	SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS .....	219
151	SUBTITLE B. DESIGNATED FUND TRANSFERS .....	220

**TITLE X. FISCAL IMPACT AND EFFECTIVE DATE ..... 221**

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

**TITLE I. GOVERNMENT DIRECTION AND SUPPORT**

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

Sec. 1001. Short title.

This subtitle may be cited as the “Bonus and Special Pay Limitation Act of 2015”.

Sec. 1002. Bonus and special pay limitations.

(a) For Fiscal Year 2016, no funds shall be used to support the categories of special awards pay or bonus pay; provided, that funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

(3) Additional income allowances for difficult-to-fill positions;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-619.01);

(6) Safe driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality steps;

(10) Salary incentives negotiated through collective bargaining; or

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

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

(c) Notwithstanding any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply in Fiscal Year 2016 to employees of the District of Columbia Public Schools who are based at a local school or who provide direct services to individual students.

(d) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the requirements of section 857 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.57), which requires the Attorney General's performance management system to link pay to performance.

(e) Notwithstanding this subtitle, the Office of the Attorney General and the subordinate agencies shall pay their employees all performance allowance payments to which they are entitled.

**SUBTITLE B. SUPPLY MANAGEMENT AMENDMENT**

Sec. 1011. Short title.

This subtitle may be cited as the “Supply Management Amendment Act of 2015”.

Sec. 1012. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

(a) A new section 802a is added to read as follows:

“Sec. 802a. Surplus property disposition agreements.

“(a) The CPO may enter into an agreement with a District agency not otherwise under the authority of the CPO, including an independent agency, or a public charter school to sell its surplus goods.

“(b) OCP may charge an administrative fee of 6% of gross proceeds for the sale of surplus property sold pursuant to an agreement entered into under this section. The administrative fees shall be deposited into the Surplus Property Sales Fund established by section 805.”.

(b) Section 803 (D.C. Official Code § 2-358.03) is amended to read as follows:

“Sec. 803. Electronic inventory control system for surplus property.

“The CPO shall establish an electronic inventory control system to monitor all surplus property. The system shall contain the following information:

216                   “(1) The date of the receipt of the surplus property;  
217                   “(2) The agency or organization from which the surplus property was received;  
218                   “(3) A description of the surplus property, including quantity and condition;  
219                   “(4) A photograph of the surplus property; and  
220                   “(5) The estimated value of the surplus property.”.

221           (c) A new section 805 is added to read as follows:

222           “Sec. 805. Surplus Property Sales Fund.

223           “(a) There is established as a special fund the Surplus Property Sales Fund (“Fund”),  
224   which shall be administered by the CPO in accordance with subsection (c) of this section.

225           “(b) There shall be deposited into the Fund:

226                   “(1) Administrative fees collected pursuant to an agreement entered into pursuant  
227   to section 802a; and

228                   “(2) Proceeds from the sale of surplus property by OCP.

229           “(c) Money in the Fund shall be used to pay the administrative costs of maintaining and  
230   disposing of surplus property, including the costs of online auctions.

231           “(d) Amounts in excess of the money needed to pay for the cost of online auction  
232   contracts for surplus personal property shall be deposited into the unrestricted fund balance of  
233   the General Fund of the District of Columbia.”.

234           Sec. 1013. Title I, Subtitle G of the Fiscal Year 2015 Budget Support Act of 2014,  
235   effective February 26, 2015 (D.C. Law 20-155; 31 DCR 9990) is repealed.

**SUBTITLE C. OFFICE OF LGBTQ AFFAIRS AMENDMENT**

Sec. 1021. Short title.

This subtitle may be cited as the “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs Name Change Amendment Act of 2015”.

Sec. 1022. The Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1381) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Office of Gay, Lesbian, Bisexual, and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs” in its place.

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

“(2) “Lesbian, gay, bisexual, transgender, and questioning” or “LGBTQ” means individuals who identify themselves as lesbian, gay, bisexual, or transgender or are questioning or exploring their sexuality or sexual identity, or are concerned about applying a social label to themselves related to their sexuality or sexual identity and who are residents of the District of Columbia.”.

(3) Paragraph (3) is amended by striking the phrase “Office of Gay, Lesbian, Bisexual, and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs” in its place.

(b) Section 3 (D.C. Official Code § 2-1382) is amended as follows:

(1) Strike the phrase “Office of Gay, Lesbian, Bisexual, and Transgender Affairs  
wherever it appears and insert the phrase “Office of Lesbian, Gay, Bisexual, Transgender, and  
Questioning Affairs” in its place.

(2) Strike the phrase “gay, lesbian, bisexual and transgender community”  
wherever it appears and insert the phrase “lesbian, gay, bisexual, transgender, and questioning  
community” in its place.

(c) Section 4 (D.C. Official Code § 2-1383) is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “full-time” and inserting  
the phrase “full time” in its place.

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

(A) Paragraph (1) is amended by striking the phrase “gay, lesbian,  
bisexual and transgender community” and inserting the phrase “lesbian, gay, bisexual,  
transgender, and questioning community” in its place.

(B) Paragraph (3) is amended by striking the phrase “Gay, Lesbian,  
Bisexual and Transgender community” and inserting the phrase “lesbian, gay, bisexual,  
transgender, and questioning community” in its place.

(C) Paragraph (8) is amended as follows:

(i) Strike the phrase “Gay, Lesbian, Bisexual and Transgender  
Program Coordinators” and insert the phrase “lesbian, gay, bisexual, transgender, and  
questioning services coordinators” in its place.

(ii) Strike the phrase “gay, lesbian, bisexual and transgender community” and insert the phrase “lesbian, gay, bisexual, transgender, and questioning community” in its place.

(D) Paragraph (9) is amended by striking the phrase “Gay, Lesbian, Bisexual and Transgender Program Coordinator” and inserting the phrase “lesbian, gay, bisexual, transgender, and questioning services coordinator” in its place

(E) Paragraph (10) is amended as follows:

(i) Strike the phrase “Gay, Lesbian, Bisexual and Transgendered program coordinator” and insert the phrase “lesbian, gay, bisexual, transgender, and questioning services coordinator” in its place.

(ii) Strike the phrase “gay, lesbian, bisexual and transgender health” and insert the phrase “lesbian, gay, bisexual, transgender, and questioning health” in its place.

(d) Section 4a(a) (D.C. Official Code § 2-1384(a)) is amended by striking the phrase “Office of Gay, Lesbian, Bisexual and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs” in its place.

Sec. 1023. Section 4(b)(2)(M) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-65; D.C. Official Code § 4-752.01(b)(2)(M)), is amended by striking the phrase “Office of Gay, Lesbian, Bisexual and Transgender Affairs” and inserting the phrase “Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs” in its place.



297           Sec. 1024. Section 23(d)(1)(F)(iv) of the Emergency Medical Services Act of 2008,  
298   effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22(d)(1)(F)(iv)), is  
299   amended by striking the phrase “Gay, Lesbian, Bisexual and Transgender community” and  
300   inserting the phrase “lesbian, gay, bisexual, transgender, and questioning community” in its  
301   place.

302           Sec. 1025. Section 10(c) of the Choice of Drug Treatment Act of 200, effective July 18,  
303   2000 (D.C. Law 13-146; D.C. Official Code § 7-3009(c)), is amended by striking the phrase  
304   “gays, lesbians, bisexuals, transgenders” and inserting the phrase “lesbian, gay, bisexual,  
305   transgender, and questioning persons” in its place.

306           Sec. 1026. Section 302(d) of the Cable Television Communications Act of 1981,  
307   effective August 21, 1982 (D.C. Law 4-142; D.C. Official Code § 34-1253.02(d)), is amended by  
308   striking the phrase “gays and lesbians” and inserting the phrase “lesbian, gay, bisexual,  
309   transgender, and questioning persons” in its place.

310           **SUBTITLE D. ATTORNEY GENERAL AUTHORITY AND LITIGATION FUND**

311           Sec. 1031. Short title.

312           This subtitle may be cited as the “Attorney General Authority and Litigation Fund  
313   Establishment Amendment Act of 2015”.

314           Sec.1032. The Attorney General for the District of Columbia Clarification and Elected  
315   Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code  
316   § 1-301.81 *et seq.*), is amended as follows:

317           (a) A new section 106b is added to read as follows:

318           “Sec. 106b. Litigation Support Fund.

319           “(a) There is established as a special fund the Litigation Support Fund (“Fund”), which  
320 shall be administered by the Office of the Attorney General in accordance with this section.

321           “(b) The following percentages of any recoveries from litigation brought by the Office of  
322 the Attorney General on behalf of the District shall be deposited into the Fund:

323                       “(1) 5 percent of any recovery under \$2 million;

324                       “(2) 2.5 percent of any recovery between \$2 million and \$5 million; and

325                       “(3) 1 percent of any recovery in excess of \$5 million.

326           “(c) The Fund shall be used for the purpose of supporting general litigation expenses  
327 associated with prosecuting or defending litigation cases on behalf of the District of Columbia.

328           “(d)(1) Except as provided in paragraph (3) of this subsection, the money deposited into  
329 the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General  
330 Fund of the District of Columbia at the end of any fiscal year or at any other time.

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

333                       “(3) At no time shall the money deposited into the Fund, and any interest earned,  
334 exceed \$1.5 million. Any excess funds shall revert to the unrestricted fund balance of the  
335 General Fund of the District of Columbia.

336           “(e) For the purposes of this section, the term “recovery” shall include funds obtained  
337 through court determinations or through settlement of lawsuits in which the Office of the

Attorney General represents the District, but shall not include funds obtained through an administrative proceeding or funds obligated to another source by District or federal law.”.

(b) New sections 108a and 108b are added to read as follows:

“Sec. 108a. Authority over personnel.

“The Attorney General shall be the personnel authority for the Office of the Attorney General. The Attorney General’s personnel authority shall be independent of the personnel authority of the Mayor established under section 422 of the District of Columbia Home Rule Act, approved December 23, 1973 (87 Stat. 790; D.C. Official Code §1-204.22), and section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-604.06), except that the personnel provisions applicable to the Mayor under the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C Official Code §1-601.01 *et seq.*), shall apply to the Attorney General’s exercise of this authority, unless specifically exempted by District statute.

“Sec. 108b. Authority for procurement of goods and services.

“The Attorney General shall carry out procurement of goods and services for the Office of the Attorney General through a procurement office or division. The procurement office or division shall operate independently of, and shall not be governed by, the Office of Contracting and Procurement established pursuant to the Procurement Practices Reform Act of 2011, effective April 8, 2011 (D.C. Law 18- 371; D.C. Official Code § 2-351.01 *et seq.*), except as

provided in section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)).”.

(c) A new section 110a is added to read as follows:

“Sec. 110a. Authority to issue subpoenas in investigation of consumer protection matters.

“(a) The Attorney General, or his or her designee, shall have the authority to issue subpoenas for the production of documents and materials or for the attendance and testimony of witnesses under oath, or both, related to an investigation into unfair, deceptive, unconscionable, or fraudulent trade practices by or between a merchant or consumer as defined in D.C. Official Code § 28-3901.

“(b) Subpoenas issued pursuant to subsection (a) of this section as well as pursuant to D.C. Official Code § 28-3910 shall contain the following:

“(1) The name of the person from whom testimony is sought or the documents or materials requested;

“(2) The person at the Office of the Attorney General to whom the documents shall be provided;

“(3) A detailed list of the specific documents, books, papers, or objects being requested, if any;

“(4) The date, time, and place that the recipient is to appear to give testimony or produce the materials specified under paragraph (3) of this subsection, or both;

“(5) A short, plain statement of the recipient’s rights and the procedure for enforcing and contesting the subpoena; and

379                   “(6) The signature of the Attorney General, Chief Deputy Attorney General,  
380 Deputy Attorney General, or Assistant Deputy Attorney General approving the subpoena  
381 request.

382                   “(c) Unless otherwise permitted by the Office of the Attorney General, only attorneys for  
383 the Office of the Attorney General and their staff, other people involved in the investigation, the  
384 witness under examination, his or her attorney, interpreters when needed, and, for the purpose of  
385 taking the evidence, a stenographer or operator of a recording device may be present during the  
386 taking of testimony.

387                   “(d) In the case of refusal to obey a subpoena issued under this section, the Attorney  
388 General may petition the Superior Court for the District of Columbia for an order requiring  
389 compliance. Any failure to obey the order of the court may be treated by the court as contempt.

390                   “(e) Any person to whom a subpoena has been issued under this section or pursuant to  
391 D.C. Official Code § 28-3910 may exercise the privileges enjoyed by all witness. A person to  
392 whom a subpoena has been issued may move to quash or modify the subpoena in the Superior  
393 Court of the District of Columbia on grounds including:

394                   “(1) The Attorney General failed to follow or satisfy the procedures set forth in  
395 this section for issuance of a subpoena; or

396                   “(2) Any grounds that exist under statute or common law for the quashing or  
397 modification of a subpoena.”.

398           Sec. 1033. The District of Columbia Government Comprehensive Merit Personnel Act of  
399   1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is  
400   amended as follows:

401           (a) Section 202(1) (D.C. Official Code § 1-602.02(1)) is amended as follows:

402                   (1) Strike the phrase “The Mayor and each member of the Council of the District  
403   of Columbia” wherever it appears and insert the phrase “The Mayor, each member of the  
404   Council of the District of Columbia, and the Attorney General” in its place.

405                   (2) Strike the phrase “in accordance with the provisions of sections 421(d) and  
406   403(a) of the District of Columbia Home Rule Act, approved December 24, 1973, (87 Stat. 787;  
407   D.C Official Code §§ 1-204.21(d) and 1-204.03(a))” and insert the phrase “in accordance with  
408   the provisions of sections 421(d) and 403(a) of the District of Columbia Home Rule Act,  
409   approved December 24, 1973, (87 Stat. 787; D.C Official Code §§ 1-204.21(d) and 1-204.03(a)),  
410   and section 105 of the Attorney General of the District of Columbia Clarification and Elected  
411   Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §  
412   1-301.85).” in its place.

413           (b) Section 301 (D.C. Official Code § 1-603.01) is amended as follows:

414                   (1) A new subsection (a-1) is added to read as follows:

415                   “(a-1) The term “Attorney General” means the Attorney General for the District of  
416   Columbia.”.

417                   (2) Subsection (m) is amended by striking the sentence: “For the purposes of this  
418   act, the Council of the District of Columbia shall be considered an independent agency of the

District of Columbia” and inserting the sentence: “For the purposes of this act, the Council of the District of Columbia and the Office of the Attorney General for the District of Columbia shall be considered independent agencies of the District of Columbia.” in its place.

(3) Subsection (q)(4) is repealed.

(c) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended as follows:

(1) Paragraph (21) is amended by striking the phrase “Administration; and” and inserting the phrase “Administration;” in its place.

(2) Paragraph (22) is amended by striking the phrase “Education.” and inserting the phrase “Education; and” in its place.

(3) A new paragraph (23) is added to read as follows:

“(23) For employees of the Office of the Attorney General, the personnel authority is the Attorney General.”.

(d) Section 903(a) (D.C. Official Code § 1-609.03(a)) is amended by adding a new paragraph (2A) to read as follows:

“(2A) The Attorney General may appoint no more than 30 persons;”.

(e) Section 1109 (D.C. Official Code § 1-611.09) is amended by adding a new subsection (b-1) to read as follows:

“(b-1) In accordance with section 105 of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code § 1-301.85), the Attorney General shall receive compensation in an amount equal to the Chairman of the Council.”.

(f) Section 1715(a) (D.C. Official Code § 1-617.15(a)) is amended by striking the phrase “,or in the case of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia, by the respective Boards” and inserting the phrase “; provided that, an agreement with a labor organization of employees of the Office of the Attorney General is subject to the approval of the Attorney General, and an agreement with a labor organization of employees of the District of Columbia Board of Education or the Board of Trustees of the University of the District of Columbia is subject to the approval of the respective Boards” in its place.

(g) Section 1716(a) (D.C. Official Code § 1-617.16(a)) is amended by striking the phrase “The Mayor,” and inserting the phrase “The Mayor, the Attorney General for employees of the Office of the Attorney General,” in its place.

Sec. 1034. Section 201(b) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01(b)), is amended by adding a paragraph (1B) to read as follows:

“(1B) The Office of the Attorney General;”.

Sec. 1035. Section 207 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-537), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “subsection (a-1)” and inserting the phrase “subsections (a-1) and (a-2)” in its place.

(b) A new subsection (a-2) is added to read as follows:



“(a-2) Any person denied the right to inspect a public record in the possession of the Attorney General may institute proceedings in the Superior Court for the District of Columbia for injunctive or declaratory relief, or for an order to enjoin the public body from withholding the record and to compel the production of the requested record.”.

(c) Subsection (b) is amended by striking the phrase “subsection (a) or (a-1)” and inserting the phrase “subsections (a), (a-1), or (a-2)” in its place.

#### **SUBTITLE E. OFFICE ON AGING REPORTING REQUIREMENTS**

Sec. 1041. Short title.

This subtitle may be cited as the “Office on Aging Reporting Requirements Act of 2015”.

Sec. 1042. Office on Aging reporting requirements.

Fiscal Year 2016, the Mayor shall submit to the Council a quarterly report on programs and operations within the Office on Aging, which shall include the following information:

(1) The number of persons served through the Aging and Disability Resource Center, including the ages of those persons served and the types of services received;

(2) The number of new applications for sub-grants;

(3) A listing of current contracts and sub-grants by category;

(4) A comprehensive listing of senior wellness centers (by center), including the number of seniors who utilize each location per quarter;

(5) A complete listing of transportation services and the number of seniors who utilize transportation services, including the number of transports that originate from each ward;

(6) The number of seniors in each ward who utilize home meal delivery services;

(7) Locations of congregate meal services and the number of persons who utilize such services by ward; and

(8) Total funds expended for each program area of operations included in the report.

**SUBTITLE F. GRANTS ADMINISTRATION**

Sec. 1051. Short title.

This subtitle may be cited as the “Grant Administration Amendment Act of 2015”.

Sec. 1052. Section 1014 of the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-328.01), is repealed.

Sec. 1053. The Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.), is amended as follows:

(a) Section 1092 (D.C. Official Code § 1-328.11) is amended to read as follows:

“Sec. 1092. Definitions.

“For the purposes of this subtitle, the term:

“(1) “Candidate” shall have the same meaning as provided in section 101(6) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(6).

“(2) “Contribution” shall have the same meaning as provided in section 101(10) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics

Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10)).

“(3) “Covered recipient” means:

“(A) Any elected District official who is or could be involved in influencing or approving the award of a grant;

“(B) Any candidate for elective District office who is or could be involved in influencing or approving the award of a grant;

“(C) Any political committee affiliated with a District candidate or official described in subparagraphs (A) and (B) of this paragraph;

“(D) Any constituent-service program or fund, or substantially similar entity, controlled, operated, or managed by:

“(i) Any elected District official who is or could be involved in influencing or approving the award of a grant; or

“(ii) Any person under the supervision, direction, or control of an elected District official who is or could be involved in influencing or approving the award of a grant;

“(E) Any political party; or

“(F) Any entity or organization:

“(i) That a candidate or public official described in subparagraphs (A) and (B) of this paragraph, or a member of his or her immediate family, controls; or

“(ii) In which a candidate or public official described in subparagraphs (A) and (B) of this paragraph has an ownership interest of 10 % or more.

“(4) “Election” shall have the same meaning as provided in section 101(15) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(15)).

“(5) “Grant” means financial assistance to an organization to support or stimulate the accomplishment of a public purpose as defined by the law that authorizes the grant.; provided, that the organization, not the District, defines the specific services, the service levels, and the program approach for carrying out the grant.

“(6) “Grant program” means the management or administration by a grantor of grant-making or grant-issuing authority as covered by this subtitle.

“(7) “Grantee” means the person that receives funds under a grant program.

“(8) “Grantor” means a District agency, board, commission, instrumentality, or program designated by law as the grant-managing entity for a grant program.

“(9) “Immediate family” shall have the same meaning as provided in section 101(26) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(26)).

“(10) “Person” shall have the same meaning as provided in section 101(42) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(42)).

“(11) “Political committee” shall have the same meaning as provided in section 101(44) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(44)).

“(12) “Political party” shall have the same meaning as provided in section 101(45) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45)).”.

(b) Section 1093 (D.C. Official Code § 1-328.12) is amended to read as follows:

“Sec. 1093. Applicability of requirements on grants.

Notwithstanding any other provision of law, and except where the law establishing authority for the grant exempts or modifies the requirements of this section by specific reference, any grant-making or grant-issuing authority established under District statute shall be exercised pursuant to the requirements of this subtitle.

(c) Section 1094(a) (D.C. Official Code § 1-328.13(a)) is amended by striking the phrase “grant-issuing authority” and inserting the phrase “grant-issuing authority, unless a non-District entity that provides funds to the District to award as grants has rules or requirements that prohibit or otherwise limit competition” in its place.

(d) Section 1095(1) (D.C. Official Code § 1-328.14(1)) is amended by striking the number “30” and inserting the number “45” in its place.

(e) Section 1096 (D.C. Official Code § 1-328.15) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) New subsections (b) and (c) are added to read as follows:

“(b) Before a person may receive a grant under this subtitle, that person shall provide the District with a sworn statement, under penalty of perjury, that to the best of the person’s knowledge, after due diligence, the person is in compliance with section 1096b of this subtitle and is therefore eligible to receive a grant.

“(c) A person that makes a contribution or solicitation for contribution to a covered recipient shall be ineligible to receive a grant from the District of Columbia valued at \$100,000 or more. The District shall not enter into an agreement or provide a grant to a person that is ineligible to receive a grant during the time period provided in subsection (d) of this section.

“(d)(1) For contributions made to persons described under section 1092(3)(A), (B), or (C), the restriction on the ability of a person to receive a grant under this subtitle shall apply beginning on the date the contribution or solicitation for contribution was made and continuing until one year following the general election for which the contribution or solicitation for contribution was made whether or not the contribution was made before the primary election.

“(2) For contributions made to persons described under section 1092(3)(D), (E), or (F), the restriction on the ability of a person to receive a grant under this subtitle, shall apply beginning on the date the contribution or solicitation for contribution was made and continuing for eighteen months following that date.”.

(f) A new section 1098 is added to read as follows:

“Sec. 1098. Grant transparency.

585           “To ensure a transparent process for issuing and managing grants, the Office of  
586 Partnerships and Grants Development shall establish uniform guidelines for the application for  
587 and reporting on any grants received from any entity of the government of the District. The  
588 guidelines shall include a description of the project scope, budget, program activities, timelines,  
589 performance, and any appropriate financial information.”.

590           **SUBTITLE G. INDEPENDENT INVESTIGATION DEBARMENT AUTHORITY**

591           Sec. 1061. Short title.

592           This subtitle may be cited as the “Independent Investigation Debarment Authority  
593 Amendment Act of 2015”.

594           Sec. 1062. Section 907(d) of the Procurement Practices Reform Act of 2010, effective  
595 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-359.07), is amended to read as follows:

596           “(d)(1) After reasonable notice to a person and reasonable opportunity to be heard, the  
597 CPO may debar or suspend the person from consideration for award of any contract or  
598 subcontract if the CPO receives written notification from:

599                       “(A) The Chairman of the Council or the chairperson of a Council  
600 committee that the person has willfully failed to cooperate in a Council or Council committee  
601 investigation conducted pursuant to section 413 of the District of Columbia Home Rule Act,  
602 approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13);

603                       “(B) The District of Columbia Auditor that the person has willfully failed  
604 to cooperate in an audit conducted pursuant to section 455 of the District of Columbia Home

605 Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.55) or to  
606 produce books or records pursuant to section 418 of this act; or

607                   “(C) The Inspector General that the person has willfully failed to  
608 cooperate in an audit, inspection, or investigation conducted pursuant to section 208(a)(3) of the  
609 District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law  
610 6-85; D.C. Official Code § 1-301.115a(a)(3)) or to produce books and records pursuant to  
611 section 418 of this act.

612                   “(2) The CPO shall issue a decision on a suspension or debarment recommended  
613 through a notification received under paragraph (1) of this subsection within 30 days of receipt  
614 of the notification.

615                   “(3) The debarment shall be for a period of 5 years, unless the CPO receives  
616 written notification during the 5-year period from the Chairman of the Council or the chairperson  
617 of a Council committee, the District of Columbia Auditor, or the Inspector General that the  
618 debarred business has cooperated in the audit, inspection, or investigation referred to in  
619 paragraph (1) of this subsection.

620                   “(4) For the purposes of this subsection, the phrase "willfully failed to cooperate"  
621 means:

622                   “(A) Intentionally failed to attend and give testimony at a public hearing  
623 convened in accordance with the Rules of Organization and Procedure for the Council; or



“(B) Intentionally failed to provide documents, books, papers, or other information upon request of the Council or a Council committee, the District of Columbia Auditor, or the Inspector General.”.

## **SUBTITLE H. DISTRICT CULTURAL PLAN**

Sec. 1071. Short title.

This subtitle may be cited as the “Cultural Plan for the District Act of 2015”.

Sec. 1072. Creation of a Cultural Plan.

(a)(1) On or before December 15, 2016, the Director of the Office of Planning (“Office”) shall submit to the Mayor and the Council and post on the Office’s website a comprehensive cultural plan (“Plan”). Before that date, the Office shall oversee the solicitation, through a request for proposals, of a private cultural-planning firm to develop the Plan.

(2) The request for proposals to develop the Plan shall propose compensation for the firm developing the Plan that does not exceed \$200,000. The Office may accept contributions from private foundations to defray the cost of compensating the firm that develops the Plan.

(3) At a minimum, the Plan shall include:

(A) Recommended means by which the District may increase participation in cultural activities throughout the District and address the desires of residents of each of the 8 Wards with respect to art and culture policy in their neighborhoods;

(B) An outline of the city’s cultural policies and the means of implementing such policies and a study of the economic benefits and the impacts on quality of life, community development, and cultural literacy of those policies;

(C) A proposed process for community decision-making regarding cultural activities that focuses on neighborhoods, engages and encourages community input, and supports access to the arts and cultural programming in such neighborhoods;

(D) An analysis of whether some neighborhoods are better served than others with respect to cultural activities and proposals to remedy such disparities;

(E) An analysis of the needs of artists and other members of the creative economy and recommendations regarding steps that may be taken to retain and otherwise support such individuals in the District's current real-estate environment, including recommendations with regard to the creation of both long-term and temporary affordable studio and rehearsal space, including space that otherwise would remain vacant, as well as affordable housing for artists and other members of the creative economy;

(F) An analysis of the current state of arts education in District of Columbia Public Schools and District public charter schools and recommendations regarding the improvement of arts education in the District;

(G) An analysis of the means by which District agencies can incorporate the arts to enhance their missions while better serving the cultural needs of the District. On or before November 1, 2015, each District agency shall submit its own analysis of those means that shall be incorporated in the Plan;

(H) An examination of means by which the arts can be incorporated into community and economic development planning processes and policies;

(I) Recommendations as to means by which the District can create a more arts-friendly regulatory structure, specifically with regard to facilitating performances and exhibitions that seek to engage the public in a public setting; and

(J) Any existing data sets regarding the distribution of cultural resources throughout the city, as well as any other existing data sets relevant to the Plan.

(4) All recommendations, initiatives, and priorities included in the Plan shall be indicated as being proposed to occur in a short-, medium-, or long-term timeframe and categorized by the following budget ranges: under \$50,000; \$50,000 to \$250,000; over \$250,000 to \$1 million; and over \$1 million;

(5) The development of the Plan shall occur in a transparent and accessible fashion. Whenever feasible, the Office shall utilize appropriate technology to enhance outreach and communication with the public during the development of the Plan.

(6) To the extent feasible, any agency implicated by the conclusions and recommendations of the Plan shall incorporate those conclusions and recommendations into its budget and programming.

(7) The Office shall review the Plan and revise it as appropriate every 10 years.

(b)(1) A Cultural Planning Steering Committee (“Committee”) shall be formed to assist in the implementation of the Plan. The Committee shall consist of at least 3 members of the arts and creative economy community with relevant arts and creative economy expertise and each of the following individuals or his or her appointee:

(A) Deputy Mayor for Planning and Economic Development;

- 686 (B) The Director of the Office of Planning;
- 687 (C) The Executive Director of the Commission on Arts and Humanities;
- 688 (D) The Chairman of the Council's designee;
- 689 (E) The Chairman of the Council's Committee on Finance and Revenue's
- 690 designee; and
- 691 (F) The DC BID Council Executive Director.

692 (2) The Committee shall meet with the Office and representatives of other

693 affected agencies on a quarterly basis to track the progress of the recommendations in the Plan,

694 beginning with the first quarter after submission of the Plan to the Mayor and the Council.

695 (3) Beginning one year after the release of the Plan and annually thereafter, the

696 Committee shall submit to the Mayor and the Council a written report detailing progress made

697 on all recommendations, initiatives, and priorities included in the Plan.

698 **SUBTITLE I. BEGA BOARD SIZE**

699 Sec. 1081. Short title.

700 This subtitle may be cited as the "Board of Ethics and Government Accountability Board

701 Size Amendment Act of 2015".

702 Sec. 1082. Section 203(a) of the Board of Ethics and Government Accountability

703 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,

704 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.03(a)), is amended as follows:

- 705 (a) Strike the number "3" and insert the number "5" in its place.
- 706 (b) Strike the phrase "2 of whom" and insert the phrase "3 of whom" in its place.

(c) Strike the phrase “one member shall be appointed to serve for a 2-year term, one member shall be appointed to serve for a 4-year term, and one member shall be appointed to serve for a 6-year term.” and insert the phrase “one member shall be appointed to service for a 2-year term, two members shall be appointed to serve for a 4-year term, and two members shall be appointed to serve for a 6-year term” in its place.

(d) Insert a new sentence at the end to read as follows:

“The terms of the 5 initial members shall begin on July 1, 2012.”.

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

### **SUBTITLE A. DSLBD MICRO LOAN AMENDMENT**

Sec. 2001. Short title.

This subtitle may be cited as the “Department of Small and Local Business Development Micro Loan Fund Amendment Act of 2015”.

Sec. 2002. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Code § 2-218.75), is amended as follows:

(a) The section heading is amended to read as follows:

“Sec. 2375. Small Business Capital Access Fund.”.

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

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

726                   “(1) “Eligible recipient” means a business certified, or eligible to be certified, as a  
727   small business enterprise pursuant to section 2332 or a disadvantaged business enterprise  
728   pursuant to section 2333.

729                   “(2) “Fund” means the Small Business Capital Access Fund.”.

730                   (c) Subsection (b) is amended by striking the phrase “Micro Loan” and inserting the  
731   phrase “Capital Access” in its place.

732                   (d) Subsection (d)(1) is amended to read as follows:

733                   “(1) Eligible recipients that are certified as a small business enterprise pursuant to  
734   section 2332, a disadvantaged business enterprise pursuant to section 2333, or a resident-owned  
735   business enterprises pursuant to section 2335; or”.

736                   **SUBTITLE B. APPRENTICESHIP MODERNIZATION AMENDMENT**

737                   Sec. 2011. Short title.

738                   This subtitle may be cited as the “Apprenticeship Modernization Amendment Act of  
739   2015”.

740                   Sec. 2012. An Act To provide for voluntary apprenticeship in the District of Columbia,  
741   approved May 21, 1946, (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended as  
742   follows:

743                   (a) Section 1 (D.C. Official Code § 32-1401) is repealed.

744                   (b) Section 2 (D.C. Official Code § 32-1402) is amended as follows:

745                   (1) Strike the phrase “Superintendent of Schools” and insert the word  
746   “Chancellor” in its place.

(2) Strike the phrase “remainder of said term.” and insert the phrase “remainder of the term. At the end of a term, a member shall continue to serve until a successor is appointed and sworn into office.” in its place.

(3) Strike the last sentence.

(c) Section 3 (D.C. Official Code § 32-1403) is amended to read as follows:

“Sec. 3. Associate Director of Apprenticeship.

“(a)(1) The Director of the Department of Employment Services shall appoint an Associate Director of Apprenticeship whose office shall have responsibility and accountability for the apprenticeship system in the District of Columbia.

“(b)(1) The Office of Apprenticeship, Information and Training, which shall also be known as the Registration Agency, shall have the authority to approve apprenticeship registration for federal purposes.

“(2) The Office of Apprenticeship, Information and Training is authorized to supply the Associate Director of Apprenticeship and the Apprenticeship Council with the clerical, technical, and professional assistance considered essential to effectuate the purposes of this act.”.

(d) Section 4 (D.C. Official Code § 32-1404) is amended as follows:

(1) Strike the word “Director” and insert the phrase “Associate Director of Apprenticeship” in its place.

(2) Strike the phrase “Secretary of Labor” and insert the phrase “Director of the Department of Employment Services” in its place.

768                   (3) Strike the sentence “Not less than once every 2 years the Apprenticeship  
769 Council shall make a report through the Mayor of its activities and findings to Congress and to  
770 the public.” and insert the sentence “Once every year the Registration Agency shall make a  
771 report through the Mayor of its findings and activities to the Council of the District of Columbia  
772 and to the public.” in its place.

773                   (e) Section 5 (D.C. Official Code § 32-1405) is amended to read as follows:

774                   “Sec. 5. Associate director.

775                   “The Associate Director of Apprenticeship, under the supervision of the Director of the  
776 Department of Employment Services and with the advice and guidance of the Apprenticeship  
777 Council, shall:

778                   “(1) Administer the provisions of this act in cooperation with the Apprenticeship  
779 Council, local joint apprenticeship committees, and non-joint apprenticeship committees to  
780 develop criteria and training standards for apprentices, which shall in no case be lower than those  
781 required by this act;

782                   “(2) Act as secretary of the Apprenticeship Council;

783                   “(3) Approve, if approval is in the best interest of the apprentice, any apprentice  
784 agreement that meets the standards established by or in accordance with this act;

785                   “(4) Terminate or cancel any apprenticeship agreement in accordance with the  
786 provisions of the apprenticeship agreement;



787 “(5) Engage with the State Board of Education and area community colleges on  
788 the administration and supervision of related and supplemental instruction for apprentices to  
789 ensure coordination of the instruction with job experiences; and

790 “(6) Perform such other duties as necessary to carry out the intent of this act.”.

791 (f) Section 6 (D.C. Official Code § 32-1406) is amended to read as follows:

792 “Sec. 6. Apprenticeship committees.

793 “(a) Local joint apprenticeship committees and non-joint apprenticeship committees in  
794 any trade or group of trades may be submitted to the Registration Agency for approval. Such  
795 Apprenticeship committees shall be composed of an equal number of employer and employee  
796 representatives appointed by the groups or organizations they represent, or the committee may  
797 consist of the employer and not less than 2 representatives from the recognized bargaining  
798 agency.

799 “(b) In a trade or group of trades in which there is no bona fide employee organization,  
800 the Registration Agency, with the advice and guidance of the Apprenticeship Council, may  
801 approve a joint trade apprenticeship committee and a non-joint apprenticeship committee (also  
802 referred to as a unilateral or group non-joint committee).

803 “(c) Subject to the approval of the Registration Agency, and in accordance with standards  
804 established by or under authority of this act, joint trade apprenticeship committees and non-joint  
805 apprenticeship committees may develop standards to govern the training of apprentices and give  
806 such aid as may be necessary to effectuate the standards.”.

807 (g) Section 7 (D.C. Official Code § 32-1407) is amended to read as follows:

808           “Sec. 7. Definition of apprentice.

809           “For the purposes of this act, the term “apprentice” means a worker at least 16 years of  
810 age, except when a higher minimum age standard is otherwise fixed by law, who is employed to  
811 learn an apprenticeable occupation meeting the criteria approved by the Registration Agency and  
812 who has entered into a written apprenticeship agreement, which contains the terms and  
813 conditions of the employment and training of the apprentice, with either the apprentice’s  
814 program sponsor or an apprenticeship committee acting as agent for the program sponsor.”.

815           (h) Section 8 (D.C. Official Code § 32-1408) is amended to read as follows:

816           “Sec. 8. Apprenticeship agreements – contents.

817           “Every apprenticeship agreement entered into pursuant to this act shall contain:

818                   “(1) The names and signatures of the contracting parties, including the  
819 apprentice’s parent or guardian, if the apprentice is a minor, and the contact information of the  
820 program sponsor and the Registration Agency:

821                   “(2) The date of birth of the apprentice and social security number, given on a  
822 voluntary basis;

823                   “(3) A statement of the craft or occupation that the apprentice is to be taught and  
824 the time period at which the apprenticeship will begin and end;

825                   “(4) A statement showing:

826                           “(A) The number of hours to be spent by the apprentice in on-the-job  
827 learning in a time-based program;

828                   “(B) A description of the skill sets to be attained by completion of a  
829 competency-based program, including the on-the-job learning component; or

830                   “(C) The minimum number of hours to be spent by the apprentice and a  
831 description of the skill sets to be attained by completion of a hybrid program; and

832                   “(D) Provisions for related and supplemental instruction;

833                   “(5) A statement setting forth a schedule of the processes in the occupation or  
834 industry division in which the apprentice is to be trained and the approximate time to be spent in  
835 each process;

836                   “(6) A statement of the graduated scale of wages to be paid the apprentice and  
837 whether the required school time shall be compensated;

838                   “(7) A statement providing for a period of probation without adverse impact on  
839 the sponsor during which time the apprenticeship agreement shall be terminated by the Associate  
840 Director of Apprenticeship at the request, in writing, of the apprentice or suspended or cancelled  
841 by the sponsor for good cause with due notice to the apprentice and a reasonable opportunity for  
842 corrective action with due notice to the Associate Director of Apprenticeship, and providing that  
843 after a probationary period, the apprenticeship may be cancelled by the Associate Director of  
844 Apprenticeship by mutual agreement of all parties or canceled by the Associate Director of  
845 Apprenticeship for good and sufficient reasons;

846                   “(8) Contact information (name, address, phone, and e-mail, if appropriate) of the  
847 person in the Registration Agency designated under the program to receive, process, and make  
848 disposition of a controversy of difference arising out of the apprenticeship agreement when the

849 controversy or difference cannot be adjusted locally or resolved in accordance with the  
850 established procedure or applicable collective bargaining provisions;

851           “(9) A provision that a sponsor who is unable to fulfill the obligations under the  
852 apprenticeship agreement may, with the approval of the Associate Director of Apprenticeship or  
853 under the direction of the joint trade apprenticeship committee or non-joint apprenticeship  
854 committee or individual sponsor, transfer the apprenticeship agreement to another sponsor;  
855 provided, that:

856                   “(A) The apprentice consents and that the other sponsor agrees to assume  
857 the obligations of the apprenticeship agreement;

858                   “(B) The transferring apprentice is provided a transcript of related  
859 instruction and on-the-job learning by the program sponsor;

860                   “(C) The transfer is to the same occupation; and

861                   “(D) A new apprenticeship agreement is executed when the transfer  
862 between program sponsors occurs; and

863           “(10) Such additional terms and conditions as may be prescribed or approved by  
864 the Registration Agency with the advice and guidance of the Apprenticeship Council, if not  
865 inconsistent with the provisions of this act.”.

866           (i) Section 9 (D.C. Official Code § 32-1409) is amended by striking the word “Director”  
867 both times it appears and inserting the phrase “Associate Director of Apprenticeship” in its place.

868           (j) Section 10 (D.C. Official Code § 32-1410) is amended as follows:

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

870 (A) Strike the word “Director” and insert the phrase “Associate Director of  
871 Apprenticeship” in its place.

872 (B) Strike the phrase “under this act, and he may hold” and insert the  
873 phrase “under this act and may hold” in its place.

874 (C) Strike the phrase “Secretary of Labor” and insert the phrase  
875 “Registration Agency” in its place.

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

877 “(b)(1) The determination of the Associate Director of Apprenticeship shall be filed with  
878 the Apprenticeship Council. If no appeal is filed with the Apprenticeship Council within 10 days  
879 after the date of filing the appeal, the determination of the Associate Director of Apprenticeship  
880 shall become the order of the Apprenticeship Council.

881 “(2) Any person aggrieved by a determination or action of the Associate Director  
882 of Apprenticeship may appeal to the Apprenticeship Council, which shall hold a hearing after  
883 due notice to the interested parties.

884 “(3) Any person aggrieved by the action of the Apprenticeship Council may  
885 appeal as provided in Title I of the District of Columbia Administrative Procedure Act, approved  
886 October 21, 1968 (82 Stat. 1204: D.C. Official Code § 2-501 *et seq.*).”.

887 (k) Section 12 (D.C. Official Code § 32-1412) is repealed.

888 Sec. 2013. Section 5(c)(2) of the Amendments to An Act to Provide for Voluntary  
889 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. Law 2-  
890 156; D.C. Official Code § 32-1431(c)(2)), is amended by striking the phrase “Contracting

Officer” wherever it appears and inserting the phrase “Department of Employment Services” in its place.

**SUBTITLE C. RETAIL PRIORITY AREA AMENDMENT**

Sec. 2021. Short title.

This subtitle may be cited as the “Retail Priority Area Amendment Act of 2015”.

Sec. 2022. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq.*), is amended as follows:

(a) Section 2(5) (D.C. Official Code § 1-325.171(5)) is amended to read as follows:

“(5) “H Street, N.E., Retail Priority Area” means the H Street, N.E. Retail Priority Area as defined in section 2(2) of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194).”.

(b) Section 3 (D.C. Official Code § 1-325.172) is amended as follows:

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

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

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

“(3) Beginning October 1, 2015 and ending September 30, 2016, make grants to support revitalization programs pursuant to section 8032(c) of the Great Streets Neighborhood Retail Priority Area Amendment Act of 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may be awarded within any of the Retail Priority Areas established by the Great Streets Neighborhood Retail Priority Area Amendment Act of 2013 (D.C. Law 20-61; D.C. Official

912 Code § 2-1217.71 *et seq.*). The total amount of funds that may be granted pursuant to this  
913 paragraph shall not exceed \$4,000,000.”.

914 Sec. 2023. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004  
915 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

916 (a) Subsection (h) is amended by striking the phrase “within the following area” and  
917 inserting the phrase “within and abutting the boundary of the following area” in its place.

918 (b) Subsection (i) is amended to read as follows:

919 “(i) There is established the Connecticut Avenue Retail Priority Area, which shall consist  
920 of the parcels, squares, and lots abutting Connecticut Avenue, N.W., beginning at the  
921 intersection of Connecticut Avenue , N.W., and Macomb Street, N.W., thence north on  
922 Connecticut Avenue, N.W., to its intersection with Western Avenue, N.W.”.

923 (c) Subsection (j) is amended by striking the phrase “within the following area” and  
924 inserting the phrase “within and along the boundary of the following area” in its place.

925 (d) Subsection (k) is amended by striking the phrase “within the following area” and  
926 inserting the phrase “within and abutting the boundary of the following area” in its place.

927 (e) A new subsection (l) is added to read as follows:

928 “(l) There is established the Tenleytown Retail Priority Area, which shall consist of the  
929 parcels, squares, and lots abutting Wisconsin Avenue, N.W., beginning at the intersection of  
930 Wisconsin Avenue, N.W., and Tenley Circle, N.W., thence north on Wisconsin Avenue, N.W.,  
931 to its intersection with Western Avenue, N.W.”.

932           Sec. 2024. Section 2 of the Great Streets Neighborhood Retail Priority Areas Approval  
933 Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended as follows:

934           (a) The lead-in text of paragraph (1) is amended by striking the phrase “within the  
935 following areas” and inserting the phrase “within or abutting the boundaries of the following  
936 areas” in its place.

937           (b) Paragraph (2) is amended to read as follows:

938           “(2) H Street, N.E., Retail Priority Area, which shall consist of the parcels, squares, and  
939 lots within and abutting the boundary of the area bounded by a line beginning at the intersection  
940 of the center lines of Massachusetts Avenue, N.E., Columbus Circle, N.E., and 1st Street, N.E.;  
941 continuing northeast along the center line of 1st Street, N.E., to the center line of K Street, N.E.;  
942 continuing east along the center line of K Street, N.E., to the center line of Florida Avenue, N.E.;  
943 continuing southeast along the center line of Florida Avenue, N.E., to the center line of Staples  
944 Street, N.E.; continuing northeast along the center line of Staples Street, N.E., to the center line  
945 of Oates Street, N.E.; continuing southeast along the center line of Oates Street, N.E., until the  
946 point where Oates Street, N.E., becomes K Street, N.E.; continuing east along the center line of  
947 K Street, N.E., to the center line of 17th Street, N.E.; continuing south along the center line of  
948 17th Street, N.E., to the center line of Gales Street, N.E.; continuing northwest along the center  
949 line of Gales Street, N.E., to the center line of 15th Street, N.E.; continuing south along the  
950 center line of 15th Street, N.E., to the center line of F Street, N.E.; continuing west along F  
951 Street, N.E., to the center line of Columbus Circle, N.E.; and continuing south and  
952 circumferentially along the center line of Columbus Circle, N.E., to the beginning point, and,



after October 1, 2014, the Bladensburg Road, N.E., Retail Priority Area, as defined in D.C. Official Code § 2-1217.73(g).”.

(c) Paragraph (3) is amended by striking the phrase “within the area bounded by a line” and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its place.

(d) Paragraph (4) is amended by striking the phrase “within the area bounded by a line” and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its place.

(e) Paragraph (5) is amended by striking the phrase “within the area bounded by a line” and inserting the phrase “within and abutting the boundary of the area bounded by a line” in its place.

(f) Paragraph (6) is amended by striking the phrase “within the following areas” and inserting the phrase “within and abutting the boundaries of the following areas” in its place.

**SUBTITLE D. YOUTH EMPLOYMENT AND WORK READINESS TRAINING**

Sec. 2031. Short title.

This subtitle may be cited as the “Youth Employment and Work Readiness Training Amendment Act of 2015”.

Sec. 2032. Section 2 of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241), is amended as follows:

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

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

974 (A) Subparagraphs (A) and (A-i) are amended to read as follows:

975 “(A)(i) A summer youth jobs program to provide for the employment or  
976 training each summer of not fewer than 10,000 or more than 21,000 youth 14 to 21 years of age  
977 on the date of enrollment in the program.

978 “(ii) Youth ages 14 to 15 years at the date of enrollment shall  
979 receive an hourly work readiness training rate of not less than \$5.25.

980 “(iii) Youth ages 16 to 21 years at date of enrollment shall be  
981 compensated at a rate equal to 14% above the federal minimum wage or \$8.25.

982 “(A-i) Registration for the summer youth jobs program shall occur on or  
983 before the last day of January and shall conclude by the last day of April of each year.”.

984 (B) Subparagraph (B) is amended by striking the phrase “but shall not be  
985 less than 20 nor more than 25 hours” and inserting the phrase “but shall not be fewer than 20  
986 hours or more than 40 hours” in its place.

987 (C) Subparagraph (C) is amended to read as follows:

988 “(C) Employment may include an appropriate number of supervisory  
989 positions at a wage of \$9.25 or up to \$13. Supervisory positions shall not be subject to the  
990 requirements under this paragraph regarding the number of hours and weeks of employment.”.

991 (D) Subparagraph (E) is repealed.

992 (2) Paragraphs (2), (3), (4), and (5) are amended to read as follows:

993 “(2) *In school employment and work readiness training.* – An in-school  
994 employment and work readiness training program to provide for the employment or training

during the school year of students aged 14 through 21 years on a part-time basis at no less than the federal minimum wage; or work readiness training rate at no less than \$5.25 per hour. Priority shall be given to students who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*) (“Workforce Innovation and Opportunity Act”), as identified in regulations issued to implement this act. The Mayor may provide financial incentives to increase performance outcomes.

“(3) *Out-of-school, year-round employment and work readiness training.*—An out-of-school, year-round employment and work readiness training program to provide youth 16 through 24 years of age with employment at the prevailing entry-level wage for the job being performed and no less than the federal minimum wage; or work readiness training at a training rate no less than \$5.25 per hour. The Mayor may provide financial incentives to promote work readiness training activities and to increase performance outcomes. Priority shall be given to youth who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The program shall include safeguards to assure that the prospect of employment resulting from this program does not induce students to drop out of school.

“(4) *On-the-job training program for adults.*—An on-the-job training program for unemployed individuals at least 18 years of age. Priority shall be given to participants who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity Act, as identified in regulations issued to implement this act. The District government shall reimburse

1016 participating employers no more than 75% of the prevailing wage paid for an occupation, as  
1017 determined by the Mayor, for a period not to exceed 12 months. The employer shall pay all  
1018 wages in excess of the allowable reimbursement and all fringe benefits. The Mayor shall require  
1019 that participating private-sector employers agree to hire persons who successfully complete the  
1020 program. On-the-job training participants shall not displace existing employees or be used as  
1021 substitutes for regular workers.”.

1022 “(5) *Training and retraining for employment.*—Programs for pre-employment  
1023 training and retraining for persons 16 years of age and above. Priority shall be given to  
1024 participants who meet the eligibility criteria and standards of the Workforce Innovation and  
1025 Opportunity Act, as identified in regulations issued to implement this act. Training programs  
1026 established pursuant to this paragraph may be coupled with those conducted pursuant to  
1027 paragraphs (3) and (4) of this subsection.”.

1028 (b) Subsection (b) is amended by adding the following sentence at the end:

1029 “The Mayor may enter into performance-based contracts to implement programs  
1030 described in subsection (a) of this section.”.

1031 (c) Subsection (d) is amended to read as follows:

1032 “(d) For the purposes of this section, to give priority to participants who meet the  
1033 eligibility criteria and standards of the Workforce Innovation and Opportunity Act means to  
1034 engage in a good-faith effort to fill at least 30% of a program’s available positions with persons  
1035 who meet the eligibility criteria and standards of the Workforce Innovation and Opportunity  
1036 Act.”.

1037 (d) A new subsection (g) is added to read as follows:

1038 “(g)(1) The Department of Employment Services shall collect, and publish on its website,  
1039 aggregated information on the participants of the summer youth jobs program, including  
1040 statistics on:

1041 “(A) The demographics of participants;

1042 “(B) Participants’ activities in the program; and

1043 “(C) Participants’ employment following the end of the program.

1044 “(2) The information required by paragraph (1) of this subsection shall be  
1045 published by February 1, 2016 and annually thereafter.

1046 “(3) The Department of Employment Services shall consult with the Council on  
1047 revising the existing evaluation requirement for the summer youth jobs program to focus on  
1048 program outcomes and program effectiveness.”.

1049 **SUBTITLE E. LOCAL RENT SUPPLEMENT AMENDMENT**

1050 Sec. 2041. Short title.

1051 This subtitle may be cited as the “Local Rent Supplement Amendment Act of 2015”.

1052 Sec. 2042. Section 26c of the District of Columbia Housing Authority Act of 1999,  
1053 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended as follows:

1054 (b) Subsection (b) is amended by inserting the phrase “the households referred to the  
1055 Authority pursuant to subsection (c) of this section or” after the phrase “selected from”.

1056 (c) A new subsection (c) is added to read as follows:

1057           “(c) Eligible families may be referred to the Authority by the Department of Human  
1058 Services or by another District agency designated by the Mayor.”.

1059           **SUBTITLE F. AFFORDABLE HOMEOWNERSHIP**

1060           Sec. 2051. Short title.

1061           This subtitle may be cited as the “Affordable Homeownership Preservation and Equity  
1062 Accumulation Amendment Act of 2015”.

1063           Sec. 2052. Section 2(8A) of the Housing Production Trust Fund Act of 1988, effective  
1064 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801(8A), is amended by striking the  
1065 phrase “the greater of”.

1066           Sec. 2053. Section 47-3502(c) of the District of Columbia Official Code is amended by  
1067 striking the phrase “is filed” and inserting the phrase “is filed, unless the unit or residential  
1068 property also qualifies as a continuing affordable unit as provided in section 2(1C)(B) of the  
1069 Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C.  
1070 Official Code § 42-2801(1C)(B)), then this chapter shall apply” in its place.

1071           **SUBTITLE G. SIDEWALK CAFE AND SUMMER GARDEN ENDORSEMENT**

1072           Sec 2061. Short title.

1073           This subtitle may be cited “Sidewalk Cafe and Summer Garden Endorsement  
1074 Amendment Act of 2015”.

1075           Sec. 2062. Section 25-113a(c) of the District of Columbia Official Code is amended as  
1076 follows:

1077           (a) Strike the phrase “under an” and insert the phrase “under a manufacturer’s license  
1078 class A or B holding an on-site sales and consumption permit or an” in its place.

1079           (b) Strike the phrase “private space.” and insert the phrase “private space. The licensee  
1080 under a manufacturer’s license class A or B holding an on-site sales and consumption permit  
1081 may be authorized to conduct business operations on a sidewalk cafe or summer garden only  
1082 between the hours of 1:00 p.m. and 9:00 p.m., 7 days a week.” in its place.

1083           Sec. 2063. Title 24 of the District of Columbia Municipal Regulations is amended as  
1084 follows:

1085           (a) Section 301 is amended as follows:

1086                   (1) Subsection 301.3 is amended as follows:

1087                           (1) Strike the phrase “is zoned for restaurant or grocery store use” and insert the  
1088 phrase “is zoned for restaurant, grocery store, brewery, winery, or distillery use” in its place.

1089                           (2) Strike the phrase “variance to operate a restaurant or grocery store” and insert  
1090 the phrase “variance to operate a restaurant, grocery store, brewery, winery, or distillery” in its  
1091 place.

1092                   (2) A new subsection 301.6 is added to read as follows:

1093                           “301.6 The holder of a Sidewalk Cafe Permit adjacent to a brewery, winery, or distillery  
1094 may conduct business operations on a sidewalk cafe between the hours of 1:00 p.m. and 9:00  
1095 p.m., 7 days a week.”.

1096           (b) Section 303.13(h) is amended to read as follows:

1097           “(h) A copy of the current Certificate of Occupancy issued by the Director of Consumer  
1098   and Regulatory Affairs for the existing, abutting restaurant, distillery, brewery, winery, grocery  
1099   store, eating establishment, or prepared food shop (if a current Certificate of Occupancy is in  
1100   existence);”.

1101           **SUBTITLE H. ENTERTAINMENT AND MEDIA PRODUCTION AND**  
1102   **DEVELOPMENT AMENDMENT**

1103           Sec. 2071. Short title.

1104           This subtitle may be cited as the “Entertainment and Media Production and Development  
1105   Amendment Act of 2015”.

1106           Sec. 2072. The Cable Television Reform Act of 2002, effective October 9, 2002 (D.C.  
1107   Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

1108           (a) Section 101 (D.C. Official Code § 34-1251.01) is amended to read as follows:

1109           “Sec. 101. Short title.

1110           “‘This act may be cited as the Office of Cable Television, Film, Music, and Entertainment  
1111   Amendment Act of 2015.’”.

1112           (b) Section 102 (D.C. Official Code § 34-1251.02) is repealed.

1113           (c) Section 103 (D.C. Official Code § 34-1251.03) is amended as follows:

1114           (1) Paragraph (10) is repealed.

1115           (2) A new paragraph (10A) is added to read as follows:

1116           “(10A) “Director” means the Director of the Office of Cable Television, Film,  
1117   Music, and Entertainment.”.

1118           (3) A new paragraph (12A) is added to read as follows:



1119                   “(12A) “Entertainment industry” means film, television, music, video,  
1120 photography, gaming, digital media, and entertainment production.

1121                   (4) Paragraph (13) is repealed.

1122                   (5) Paragraph (23) is amended to read as follows:

1123                   “(23) “Office” means the Office of Cable Television, Film, Music, and  
1124 Entertainment established by section 201.”.

1125                   (6) Paragraph (26) is amended to read as follows:

1126                   “(26) “PEG” means public access, educational, and governmental channels with  
1127 channel capacity designated for public access channels, educational channels, and government  
1128 channels, and the facilities and equipment for the use of the channels.”.

1129                   (d) Section 201 (D.C. Official Code § 34-1252.01.) is amended as follows:

1130                   (1) The heading is amended to read as follows:

1131                   “Sec. 201. Establishment of the Office of Cable Television, Film, Music, and  
1132 Entertainment; director; general counsel.”.

1133                   (2) Subsection (a) is amended to read as follows

1134                   “(a) There is established within the executive branch, as a subordinate agency, the Office  
1135 of Cable Television, Film, Music, and Entertainment. The Office shall be responsible for:

1136                   “(1) Oversight of cable television services, including:

1137                               “(A) Regulating cable service, cable service providers, and the cable  
1138 television industry;

1139                               “(B) Protecting and promoting the public interest in cable service; and

1140                   “(C) Executing the policies and provisions of the cable television laws and  
1141 regulations of the District; and

1142                   “(2) Producing content for the government and educational channels and  
1143 managing those channels and producing video content for District government agencies and  
1144 residents.”.

1145                   “(31) Fostering the development of an entertainment industry in the District,  
1146 including:

1147                   “(A) Marketing and promoting the District to the entertainment industry as  
1148 a prime location for productions and events;

1149                   “(B) Stimulating employment and business opportunities related to the  
1150 entertainment industry.

1151                   “(C) Creating a workforce development program for the training of  
1152 District residents on entertainment industry skillsets;

1153                   “(D) Serving as a clearinghouse for information regarding government  
1154 requirements affecting the entertainment industry within the District;

1155                   “(E) Assisting producers and companies in securing permits and other  
1156 appropriate services connected with the entertainment industry, including television shows and  
1157 films; and

1158                   “(F) Facilitating cooperation from the District government, the federal  
1159 government, and private sector groups in the location and production of entertainment industry  
1160 projects, including television shows and films.”.

1161                   (3) Subsections (b) and (c) are amended by striking the term “Executive  
1162 Director” wherever it appears and inserting the term “Director” in its place.

1163                   (4) Subsection (d) is amended as follows:

1164                           (A) Strike the phrase “Executive Director” wherever it appears and insert  
1165 the phrase “Director” in its place.

1166                           (B) Strike the phrase “Corporation Counsel” both times it appears and  
1167 insert the phrase “Director of the Mayor’s Office of Legal Counsel” in its place.

1168                           (C) A new sentence is added at the end to read as follows:

1169                   “The General Counsel shall have significant experience with cable regulation matters.”.

1170                   (5) New subsections (d-1) and (d-2) are added to read as follows:

1171                   “(d-1) There shall be established within the Office a:

1172                           “(1) Cable Television Division that shall oversee matters related to the regulation  
1173 of the cable television industry; and

1174                           “(2) Film, Music, and Entertainment Development Division to support the  
1175 development of an entertainment industry in the District.

1176                   “(d-2) The Director may establish other offices and divisions as the Director determines  
1177 are in the interest of the Office and the purposes of this act.”.

1178                   (6) Subsection (e) is amended by striking the phrase “Executive Director” and  
1179 inserting the phrase “Director” in its place.

1180                   (e) The heading for section 202 (D.C. Official Code § 34-1252.02) is amended to read as  
1181 follows:

1182           “Sec. 202. Powers and responsibilities of the Office of Film, Cable Television, Film,  
1183 Music, and Entertainment.”.

1184           (f) Section 203(c) (D.C. Official Code § 34-1252.03(c)) is amended by striking the phrase  
1185 “Executive Director” and inserting the word “Director in its place.

1186           (g) Section 602(b) (D.C. Official Code § 34-1256.02(b)) is amended by striking the  
1187 phrase “to the Corporation Counsel” and inserting the phrase “to the Director of the Mayor’s  
1188 Office of Legal Counsel” in its place.

1189           (h) Section 604(c) (D.C. Official Code § 34-1256.04(c)) is amended by striking the  
1190 phrase “to the Corporation Counsel” and inserting the phrase “to the Director of the Mayor’s  
1191 Office of Legal Counsel” in its place.

1192           (i) A new section 1406 is added to read as follows:

1193           “Sec. 1406. Additional transition provisions.

1194           “(a) All appointments, rules, regulations, orders, administrative issuances, obligations,  
1195 determinations, and agreements made, established, issued, promulgated, or entered into by the  
1196 Office of Cable Television or Office of Motion Picture and Television Development, shall  
1197 remain in effect until amended, modified, superseded, or repealed by the Office of Cable  
1198 Television, Film, Music, and Entertainment.

1199           “(b) All unexpended balances of appropriations, allocations, income, and other funds  
1200 available to the Office of Cable Television or Office of Motion Picture and Television  
1201 Development shall be transferred to the appropriate accounts of the Office of Cable Television,  
1202 Film, Music, and Entertainment.

1203           “(c) All lawful existing contractual rights and obligations of the Office of Cable  
1204   Television or Office of Motion Picture and Television Development shall transfer to the Office  
1205   of Cable Television, Film, Music, and Entertainment, which shall assume all rights, duties,  
1206   liabilities, and obligations as a successor in interest.”.

1207           Sec. 2073. The Office of Motion Picture and Television Development Establishment Act  
1208   of 2014, effective May 2, 2015 (D.C. Law 20-268; 62 DCR 1549), is repealed.

1209           **SUBTITLE I. LOCAL BUSINESS ENTERPRISE**

1210           Sec. 2081. Short title.

1211           This subtitle may be cited as the “Local Business Enterprise Certification Amendment  
1212   Act of 2015”.

1213           Sec. 2082. Section 2331(2A) of the Small, Local, and Disadvantaged Business Enterprise  
1214   Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.  
1215   Official Code § 2-218.31(2A)), is amended as follows:

1216                   (a) Subparagraph (B) is amended by striking the word “or” at the end.

1217                   (b) Subparagraph (C) is amended to read as follows:

1218                           “(C) More than 50% of the assets of the business enterprise, excluding  
1219   bank accounts, are located in the District; or”.

1220                   (c) A new subparagraph (D) is added to read as follows:

1221                           “(D) More than 50% of the business enterprise's gross receipts are District  
1222   gross receipts; and”.

1223           Sec. 2083. This subtitle shall apply as of June 10, 2014.

1224           **SUBTITLE J. SOLAR PERMITTING FEES TECHNICAL AMENDMENT**

1225           Sec. 2091. Short title.

1226           This subtitle may be cited as the “Solar Permitting Fees Technical Clarification  
1227 Amendment Act of 2015”.

1228           Sec. 2092. Section 2022 of the Solar Permitting Fees Amendment Act of 2014, effective  
1229 February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is amended by striking the phrase “12-K,”  
1230 both times it appears and inserting the phrase “12-M” in its place.

1231           **SUBTITLE K. ELECTRIC COMPANY INFRASTRUCTURE IMPROVEMENT**

1232           Sec. 2101. Short title.

1233           This subtitle may be cited as the “Electric Company Infrastructure Improvement  
1234 Financing Amendment Act of 2015”.

1235           Sec. 2102. Section 101 of the Electric Company Infrastructure Improvement Financing  
1236 Act of 2014, effective May 3, 2014 (D.C. Law 20-102; D.C. Official Code § 34-1311.01), is  
1237 amended by adding a new paragraph (8A) to read as follows:

1238                   “(8A) “Distribution service customer class cost allocations” means the allocation  
1239 of the electric company’s revenue requirement to each customer rate class on the basis of the  
1240 total rate class distribution service revenue minus the customer charge revenue.”.

1241           Sec. 2103. Applicability.

1242           This subtitle shall apply as of May 3, 2014.

1243           **SUBTITLE L. ADULT CAREER PATHWAYS TASK FORCE AMENDMENT**

1244           Sec. 2111. Short title.

1245           This subtitle may be cited as the “Adult Career Pathways Task Force Amendment Act of  
1246 2015”.

1247           Sec. 2112. Section 2122 of the Adult Literacy Task Force Act, effective February 26,  
1248 2015 (D.C. Law 20-155; 62 DCR 3601), is amended as follows:

1249           (a) Subsection (c) is amended as follows:

1250                   (1) The lead-in language is amended by striking the number “13” and inserting  
1251 the number “14” in its place.

1252                   (2) A new paragraph (8A) is added to read as follows:

1253                   “(8A) The Director of the Department of Disability Services, or his or her  
1254 designee.”.

1255           (b) Subsection (d) is amended as follows:

1256                   (1) The lead-in language is amended to read as follows:

1257                   “‘No later than September 30, 2015, the Task Force shall submit to the Council and the  
1258 Mayor the city-wide strategic plan required under this section. The plan shall be developed in  
1259 concert with the District’s state integrated workforce development plan required under the  
1260 Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. §  
1261 3101 *et seq.*). In developing the strategic plan, the Task Force shall:”.

1262                   (2) Paragraph (8) is amended by striking the phrase “GED or secondary school  
1263 diploma attainment” and inserting the phrase “secondary school diploma or equivalent credential  
1264 attainment” in its place.

1265           Sec. 2113. Applicability.

1266           This subtitle shall apply as of the effective date of the Fiscal Year 2016 Budget Support  
1267 Emergency Act of 2015, effective \_\_, 2015 (Enrolled version of Bill 21-\_\_\_).

1268           **SUBTITLE M. ADULT CAREER PATHWAYS IMPLEMENTATION**

1269           Sec. 2121. Short title.

1270           This subtitle may be cited as the “Career Pathways Implementation Amendment Act of  
1271 2015”.

1272           Sec. 2122. The Workforce Investment Implementation Act of 2000, effective July 18,  
1273 2000 (D.C. Law 13-150; D.C. Official Code § 32-1601 *et seq.*), is amended by adding a new  
1274 section 6a to read as follows:

1275           “Sec. 6a. Career Pathways Innovation.

1276           “(a) Beginning in fiscal year 2017, and pursuant to section 4(c) of this act, the Council  
1277 shall issue Career Pathways Innovation grants to design, pilot, and scale best practices in the  
1278 implementation of adult career pathways and improve district performance as mandated by the  
1279 Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. §  
1280 3101 *et seq.*), using a career pathways approach, consistent with the city-wide strategic plan  
1281 developed by the Adult Career Pathways Task Force pursuant to section 2122 of the Adult  
1282 Literacy Task Force Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official  
1283 Code § 32-1661).

1284           “(b) In fiscal year 2016, the Council shall solicit technical assistance to prepare for the  
1285 issuance of the grants authorized by subsection (a) of this section.”.



1286           Sec. 2123. Section 14(d)(2) of the District of Columbia Unemployment Compensation  
1287 Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-114(d)(2)), is amended as  
1288 follows:

1289           (a) Subparagraph (A) is amended by striking the phrase “Administrative Assessment  
1290 Account” wherever it appears and inserting the phrase “Unemployment and Workforce  
1291 Development Administrative Fund” in its place.

1292           (b) Subparagraph (B) is amended by striking the phrase “Administrative Assessment  
1293 Account” and inserting the phrase “Unemployment and Workforce Development Administrative  
1294 Fund” in its place.

1295           (c) Subparagraph (C)(vi) is amended to read as follows:

1296                           “(vi) Other activities that may increase the likelihood of employment or  
1297 reemployment, including the activities of the Workforce Investment Council, established by  
1298 section 4 of the Workforce Investment Implementation Act of 2000, effective July 18, 2000  
1299 (D.C. Law 13-150; D.C. Official Code § 32-1603) (“Workforce Investment Implementation  
1300 Act”).”

1301           (d) A new subparagraph (D) is added to read as follows:

1302                           “(D) The following amounts in the Unemployment and Workforce  
1303 Development Administrative Fund may be used by the Workforce Investment Council, for the  
1304 purposes set forth in section 6a of the Workforce Investment Implementation Act:

1305   “(i) In Fiscal Year 2016, \$500,000.

1306 “(ii) In Fiscal Year 2017 and each fiscal year thereafter, \$1.5  
1307 million.”.

1308 **SUBTITLE N. CLEAN TEAM EXTENSION**

1309 Sec. 2141. Short title.

1310 This subtitle may be cited as the “Clean Team Extension Amendment Act of 2015”.

1311 Sec. 2142. Section 6087(a)(2) of the Fiscal Year 2015 Budget Support Act of 2014,  
1312 effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is amended by striking the  
1313 phrase “Wisconsin Avenue, N.W., from Lowell Street, N.W., to Davenport Street, N.W.” and  
1314 inserting the phrase “Wisconsin Avenue, N.W., from Lowell Street, N.W., to Western Avenue,  
1315 N.W.; and Connecticut Avenue, N.W., between Calvert Street, N.W., and Cathedral Avenue,  
1316 N.W., between Macomb Street, N.W., and Porter Street, N.W., between Tilden Street, N.W., and  
1317 Albemarle Street, N.W., between Fessenden Street, N.W., and Nebraska Avenue, N.W., and  
1318 between Livingston Street, N.W., and Western Avenue, N.W.” in its place.

1319 **SUBTITLE O. DC BEAUTIFUL PILOT PROGRAM**

1320 Sec. 2131. Short title.

1321 This subtitle may be cited as the “DC Beautiful Pilot Program Act of 2015.”

1322 Sec. 2132. DC Beautiful Pilot Program.

1323 (a) The Office of Planning, shall create a one-year pilot program during Fiscal Year 2016  
1324 to beautify two or more street segments in Wards 7 or 8 that are not located in a Business  
1325 Improvement District.

1326 (b) For the pilot program, the Office of Planning shall allocate 2 employees who shall  
1327 design, plan, and coordinate efforts of private actors and government agencies to beautify the  
1328 designated areas by, at a minimum:

1329 (1) Engaging community members and local businesses to determine priorities for  
1330 beautification;

1331 (2) Soliciting private organizations for resources and assistance; and

1332 (3) Identifying and coordinating beautification services from various District  
1333 agencies to:

1334 (A) Increase the number of tree boxes and planters;

1335 (B) Abate graffiti;

1336 (C) Survey the designated area to ensure an adequate number of trash and  
1337 recycle bins;

1338 (D) Maintain bus shelters and triangle parks;

1339 (E) Landscape tree boxes, planters, and triangle parks; and

1340 (F) Clean up litter.

1341 **SUBTITLE P. GREATER ECONOMIC OPPORTUNITY STRATEGIC**  
1342 **PLANNING**

1343 Sec. 2141. Short title.

1344 This subtitle may be cited as the “Greater Economic Opportunity Strategic Planning Act  
1345 of 2015”.

1346 Sec. 2142. Strategic Plans for Economic Opportunity for Ward 7 and Ward 8.

1347           (a) In Fiscal Year 2016, the Deputy Mayor for Greater Economic Opportunity shall  
1348   prepare, publish, and submit to the Council a comprehensive Strategic Plan for Economic  
1349   Development for Ward 7 and a comprehensive Strategic Plan for Economic Development for  
1350   Ward 8 no later than 300 days after the effective date of this subtitle.

1351           (b) The plans required by this section shall:

1352                   (1) Include analysis of data related to education, housing, employment, transit,  
1353   and economic development in each ward;

1354                   (2) Include a needs assessment for each ward that takes into account existing data;

1355                   (3) Include analysis of strategies that have been successful in spurring economic  
1356   development in similar communities within the District and across the country;

1357                   (4) Include specific recommendations for improvements in the areas of education,  
1358   housing, employment, transit, and economic development; and

1359                   (5) Include assessments of and recommendations to achieve viability of existing  
1360   commercial corridors in each ward.

1361           (c) The plans required by this section shall identify any new legislation necessary to  
1362   implement its recommendations and provide recommendations concerning how to fund the  
1363   provisions of the plan.

1364           **SUBTITLE Q. UNIFORM COMMERCIAL CODE BULK SALES**

1365   **CONFORMING CLARIFICATION**

1366           Sec. 2151. Short title.

1367           This subtitle may be cited as the “Uniform Commercial Code Bulk Sales Conforming  
1368 Clarification Act of 2015”.

1369           Sec. 2142. Section 25-303 of the District of Columbia Official Code is amended by  
1370 adding a new subsection (e) to read as follows:

1371           “(e) Nothing in this section shall prohibit a wholesaler or other licensee under this title  
1372 from obtaining, perfecting, or enforcing a security interest under Article 9 of Subtitle I of Title  
1373 28 in any personal property or fixtures of a retailer or other licensee, including inventory and  
1374 accounts and other rights to payment.”.

1375           **SUBTITLE R. CREATIVE AND OPEN SPACE MODERNIZATION**

1376           Sec. 2151. This subtitle may be cited as the “Creative and Open Space Modernization Act  
1377 of 2015”.

1378           Sec. 2152. Section 301 of the National Capital Revitalization Corporation and Anacostia  
1379 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-  
1380 138; D.C. Official Code § 2-1225.21), is amended by adding a new subsection (d-1) to read as  
1381 follows:

1382           “(d-1)(1) In Fiscal Year 2017 and each fiscal year thereafter, the Deputy Mayor for  
1383 Planning and Economic Development may use monies credited to the Account to award up to  
1384 \$3,000,000 in grants to one or more Qualified High Technology Companies (“QHTCs”), as  
1385 defined by D.C. Official Code § 47-1817.01(5), for the purpose of assisting the recipients in  
1386 making improvements to building space that is rented, or to be rented, and occupied exclusively,  
1387 or to be occupied exclusively, by those QHTCs.

1388 “(2) The total amount of grants to a single recipient shall not exceed \$1,000,000.”.

1389 **TITLE III. PUBLIC SAFETY AND JUSTICE**

1390 **SUBTITLE A. BODY-WORN CAMERA REGULATION AND REPORTING**

1391 **REQUIREMENTS**

1392 Sec. 3001. Short title.

1393 This subtitle may be cited as the “Body-Worn Camera Regulation and Reporting  
1394 Requirements Amendment Act of 2015”.

1395 Sec. 3002. Body-Worn Camera Program; rulemaking requirement.

1396 (a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
1397 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), and in  
1398 accordance with this section, shall issue rules regarding the Metropolitan Police Department’s  
1399 Body-Worn Camera Program. The rules, at a minimum, shall provide:

1400 (1) Standards for public access to body-worn camera recordings;

1401 (2) Policies for retaining body-worn camera recordings;

1402 (3) Procedures for auditing the Body-Worn Camera Program;

1403 (4) Policies for protecting the security and integrity of body-worn camera data;

1404 and

1405 (5) Mechanisms for cost recovery of Freedom of Information Act requests.

1406 (b) The Mayor shall establish and consult with an advisory group to provide  
1407 recommendations for the proposed rules required by subsection (c) of this section. The advisory  
1408 group shall consist of one representative from each of the following agencies and organizations:

- 1409 (A) The Committee on the Judiciary of the Council of the District of  
1410 Columbia;
- 1411 (B) The Office of Police Complaints;
- 1412 (C) The Office of Open Government of the Board of Ethics and  
1413 Government Accountability;
- 1414 (D) The Fraternal Order of Police, D.C. Police Union;
- 1415 (E) The Electronic Privacy and Information Center;
- 1416 (F) The D.C. Coalition Against Domestic Violence;
- 1417 (G) The American Civil Liberties Union of the National Capital Area;
- 1418 (H) The Reporters Committee for Freedom of the Press
- 1419 (I) The D.C. Open Government Coalition;
- 1420 (J) The Reporters Committee for Freedom of the Press;
- 1421 (K) The Office of the Attorney General;
- 1422 (L) The United States Attorney's Office for the District of Columbia; and
- 1423 (M) The Public Defender Service for the District of Columbia.

1424 (c) The Mayor shall submit the proposed rules required by this section to the Council by  
1425 October 1, 2015, for a 45-day period of review, excluding Saturdays, Sundays, legal holidays,  
1426 and days of Council recess. If the Council does not approve or disapprove the proposed rules, by  
1427 resolution, within this 45-day period of review, the proposed rules shall be deemed disapproved.

1428 Sec. 3003. Body-Worn Camera Program; reporting requirements.

1429 (a) By October 1, 2015, and every 6 months thereafter, the Mayor shall collect, and make  
1430 available in a publicly accessible format, data on the Metropolitan Police Department's Body-  
1431 Worn Camera Program, including:

1432 (1) How many hours of body-worn camera recordings were collected;

1433 (2) How many times body-worn cameras failed while an officer was on shift and  
1434 the reason for that failure;

1435 (3) How many times officers failed to turn on body-worn cameras during an  
1436 interaction;

1437 (4) How many times body-worn camera recordings were used in a criminal  
1438 prosecution;

1439 (5) How many times body-worn camera recordings were used by the  
1440 Metropolitan Police Department in an internal affairs investigation;

1441 (6) How many times body-worn camera recordings were used by the Metropolitan  
1442 Police Department to investigate a complaint made by an individual or group;

1443 (7) How many times body-worn camera recordings were submitted to the Office  
1444 of Police Complaints;

1445 (8) How many body-worn cameras are assigned to each police district and police  
1446 unit for the reporting period; and

1447 (9) How many Freedom of Information Act requests the Metropolitan Police  
1448 Department received for body-worn camera recordings during the reporting period, and the  
1449 outcome of each request, including the reason for denial if applicable.



1450 (b) By February 1 of each year, the Office of Police Complaints shall provide a report to  
1451 the Council on the effectiveness of the Metropolitan Police Department's Body-Worn Camera  
1452 Program, including an analysis of use of force incidents.”.

1453 Sec. 3004. Reporting requirements.

1454 (a) Section 1107 of Chapter 5 of Title 11 of the District of Columbia Official Code is  
1455 amended by adding a new subsection (k) to read as follows:

1456 “(k) By February 1 of each year, the Office of Police Complaints shall provide a report to  
1457 the Council on the effectiveness of the Metropolitan Police Department's Body-Worn Camera  
1458 Program, including an analysis of use of force incidents.”

1459 (b) The Metropolitan Police Department shall provide the Office of Police Complaints  
1460 with direct access to body-worn camera recordings.

1461 Sec. 3005. Applicability.

1462 This subtitle shall apply as of the effective date of the Fiscal Year 2016 Budget Support  
1463 Emergency Act of 2015, effective \_\_, 2015 (Enrolled version of Bill 21-\_\_).

1464 **SUBTITLE B. CHILD FATALITY REVIEW COMMITTEE AMENDMENT**

1465 Sec. 3011. Short title.

1466 This subtitle may be cited as the “Child Fatality Review Committee Establishment  
1467 Amendment of 2015”.

1468 Sec. 3012. Section 4604(a) of the Child Fatality Review Committee Establishment Act of  
1469 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.04(a)), is  
1470 amended as follows:

1471 (a) Paragraph (8) is amended by striking the phrase “Department of Housing and  
1472 Community Development; and” and inserting the phrase “District of Columbia Housing  
1473 Authority;” in its place.

1474 (b) Paragraph (9) is amended by striking the phrase “Office of the Corporation Counsel.”  
1475 and inserting the phrase “Office of the Attorney General;” in its place.

1476 (c) New paragraphs (10), (11), (12), and (13) are added to read as follows:

1477 “(10) Department of Behavioral Health;

1478 “(11) Department of Health Care Finance;

1479 “(12) Department of Youth Rehabilitation Services; and

1480 “(13) Office of the State Superintendent of Education.”.

1481 **SUBTITLE C. OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND**  
1482 **JUSTICE**

1483 Sec. 3021. Short title.

1484 This subtitle may be cited as the “Office of the Deputy Mayor for Public Safety and  
1485 Justice Amendment Act of 2015”.

1486 Sec. 3022. Section 3022(c)(5)(A) of the Office of the Deputy Mayor for Public Safety  
1487 and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C.  
1488 Official Code § 1-301.191(c)(5)(A)), is amended by striking the phrase “Oversee and provide  
1489 administrative support for the” and inserting the phrase “Be responsible for providing guidance  
1490 and support to, and coordination of, the” in its place.

**SUBTITLE D. SENTENCING AND CRIMINAL CODE REVISION**

**COMMISSION STAFFING**

Sec. 3031. Short title.

This subtitle may be cited as the “Sentencing and Criminal Code Revision Commission Staffing Amendment Act of 2015”.

Sec. 3032. Section 903(a)(9) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.03(a)(9)), is amended by striking the number “10” and inserting the number “11” in its place.

**SUBTITLE E. INMATE HEALTHCARE OVERSIGHT**

Sec. 3041. Short title.

This subtitle may be cited as the “Oversight of Delivery of Health Care to Inmates Amendment Act of 2015”.

Sec. 3042. Independent expert consultant to evaluate Department of Corrections delivery of health care.

(a) By June 1, 2016, the Corrections Information Council, established by section 11201a of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101a), shall retain an independent expert consultant to perform the duties set forth in section 3043.

(b) The Corrections Information Council shall select the consultant with input from the Office of Returning Citizens Affairs.

1512 (c) The consultant shall be retained for a period of one year.

1513 (d) The consultant selected shall have current and recognized expertise in the following  
1514 areas:

1515 (1) Evidence-based practices and promising practices regarding the delivery of  
1516 physical and mental health care in an urban jail setting, including continuity of care between  
1517 custody and release and evidence-based practices regarding staff training and supervision;

1518 (2) Evaluation of the delivery of physical and mental health care in urban jail  
1519 settings, including continuity of care between custody and release and evidence-based practices  
1520 regarding staff training and supervision;

1521 (3) Coordinating and securing funding under Medicaid and Medicare for  
1522 individuals leaving incarceration and transitioning to the community; and

1523 (4) Outcomes-based evaluation and implementation of continuous quality-  
1524 improvement programs for correctional healthcare.

1525 Sec. 3043. Duties of the independent expert consultant.

1526 The consultant retained pursuant to section 3042 shall, to the extent reasonable with  
1527 available funding and subject to applicable District and federal health privacy and confidentiality  
1528 laws and regulations:

1529 (1) Visit Department of Corrections (“DOC”) and contractor-run facilities,  
1530 including half-way houses, on a regular basis, to inspect and observe the provision of and access  
1531 to healthcare services, and compare policies and procedures with actual practices, including:

1532 (A) Reception, including community-to-incarceration transition;

- 1533 (B) Chronic care and chronic disease management;
- 1534 (C) Addressing clinical staff qualifications and position vacancies;
- 1535 (D) Providing unscheduled onsite and offsite services such as urgent care
- 1536 and emergency services;
- 1537 (E) Providing scheduled offsite services;
- 1538 (F) Specialty care, including obstetrics and gynecology (including prenatal
- 1539 care, pregnancy termination, and postpartum care), sexual assault and rape response, HIV/AIDS
- 1540 care, geriatric care, care for incarcerated individuals with disabilities, and
- 1541 transgender/transsexual specific care;
- 1542 (G) Mental health assessment and care;
- 1543 (H) Nursing sick call;
- 1544 (I) Creating and maintaining medical records;
- 1545 (J) Providing pharmacy and medication administration;
- 1546 (K) Maintaining infirmary, clinic, and laboratory space and sanitation;
- 1547 (L) Infection control;
- 1548 (M) Dental services;
- 1549 (N) Intrasystem transfer and transfer between Federal Bureau of Prisons
- 1550 (“BOP”) custody and DOC custody;
- 1551 (O) Transition from DOC or BOP custody to the community; and
- 1552 (P) Any other practices deemed relevant by the consultant;
- 1553 (2) Assess and evaluate:

1554 (A) A variety of performance and outcome measures as determined by the  
1555 consultant based on best practices for the practices outlined in paragraph (1) of this subsection to  
1556 ensure the efficient and effective provision of healthcare services; and

1557 (B) Communication and information transfer among and between relevant  
1558 sections of DOC, contractors, and other relevant bodies, including healthcare services, pharmacy  
1559 services, security, community health providers, the Federal Bureau of Prisons, and any other  
1560 entity identified as relevant by the consultant;

1561 (3) Conduct periodic unannounced visits to and inspections of facilities, not  
1562 restricted to medical facilities, and, as desired, conduct confidential interviews with staff and  
1563 prisoners and review relevant documents; and

1564 (4) Protect the confidentiality of all files and records, including within the reports  
1565 produced by the consultant.

1566 Sec. 3044. Reviews and reporting requirements.

1567 The consultant retained pursuant to section 3042 shall:

1568 (1) Publicly report, within one year of being retained, on:

1569 (A) The work conducted by the consultant;

1570 (B) The methodology and specific findings for each review conducted,  
1571 including a general description of the policies and procedures reviewed, the observations of the  
1572 consultant regarding implementation of those policies and procedures, patient health outcomes,  
1573 and a discussion of any improvements that need to be made; and

1574 (C) An evaluation of corrective action taken by DOC and its contractors to  
1575 address deficiencies identified in previous reports; and

1576 (2) Report on an emergency basis, as necessary, to address urgent failures to meet  
1577 constitutional standards of care.

1578 Sec. 3045. Department of Corrections and contractor duties.

1579 Subject to applicable District and federal health privacy and confidentiality laws and  
1580 regulations, the DOC and any contractors shall provide the consultant retained pursuant to  
1581 section 3042 with timely, full, unscheduled, and direct access to files, records, facilities, and  
1582 personnel, including:

1583 (1) Medical files, forms, policies, reports and any other documents or data  
1584 relevant to the practices referenced in section 3043(1);

1585 (2) Relevant non-medical files, policies, reports and any other documents or data,  
1586 including administrative remedy forms, disciplinary records, incident reports and others, that are  
1587 relevant to the practices referenced in section 3043(1);

1588 (3) Feedback provided to the DOC from members of the public, DOC or  
1589 contractor employees, and current or formerly incarcerated residents about the provision of  
1590 healthcare services, including surveys, complaints, grievances, and any other feedback provided  
1591 through e-mail or the DOC web page; and

1592 (4) Healthcare services staff, other DOC or contractor personnel, currently  
1593 incarcerated individuals, and others with direct knowledge of how healthcare services are  
1594 functioning, whom the consultant wishes to interview.

(b) The DOC, with full cooperation of contractors, shall report to the Council within 30 days of receiving the consultant's report a plan to address the results and findings of the report.

**SUBTITLE F. DOC INMATE AND RETURNING CITIZEN ASSISTANCE**

Sec. 3051. Short title.

This subtitle may be cited as the "DOC Inmate and Returning Citizen Assistance Act of 2015".

Sec. 3052. DOC Inmate and Returning Citizen Assistance Grant.

From the fiscal year 2016 funds available to the Office of Justice Grants Administration, no less than \$100,000 shall be awarded to help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility and recently released inmates.

**TITLE IV. PUBLIC EDUCATION**

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

Sec. 4001. Short title.

This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools Amendment Act of 2015".

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

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



1616

“Grade Level	Weighting	Per Pupil Allocation in FY 2016
“Pre-Kindergarten 3	1.34	\$12,719
“Pre-Kindergarten 4	1.30	\$12,340
“Kindergarten	1.30	\$12,340
“Grades 1-5	1.00	\$9,492
“Grades 6-8	1.08	\$10,251
“Grades 9-12	1.22	\$11,580
“Alternative program	1.44	\$13,668
“Special education school	1.17	\$11,106
“Adult	0.89	\$8,448

”.

1617

1618 (b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

1619 “(c) The supplemental allocations shall be calculated by applying weightings to the

1620 foundation level as follows:

1621 “Special Education Add-ons:

1622

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,207
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,390
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$18,699

“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$33,127
“Special education enhancement	Weighting provided in addition to special education level add-on weightings on a per-student basis.	0.069	\$655
“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	\$845
“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	\$15,852

1623

1624

“General Education Add-ons:

1625

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“ELL	Additional funding for English Language Learners.	0.49	\$4,651

“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,079
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1626

1627 “Residential Add-ons:

1628

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“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	0.368	\$3,493
“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	1.337	\$12,691
“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	2.891	\$27,438

“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	2.874	\$27,280
“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	\$6,341

1629

1630 “Special Education Add-ons for Students with Extended School Year (“ESY”)

1631 Indicated in Their Individualized Education Programs (“IEPs”):

1632

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY)	0.063	\$598

“Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY)	0.227	\$2,155
“Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY)	0.491	\$4,661
“Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY)	0.489	\$4,642

”.

(c) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “fiscal year 2016” and inserting the phrase “fiscal year 2017” in its place.

#### **SUBTITLE B. SCHOOLS TECHNOLOGY FUND**

Sec. 4011. Short title.

This subtitle may be cited as the “School Technology Fund Amendment Act of 2015”.

Sec. 4012. Section 10005 of the Revised Revenue Estimate Adjustment Allocation Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.251), is amended by adding a new subsection (d) to read as follows:

“(d) By November 15 of each year, each LEA receiving money from the Fund shall submit to the Office of the State Superintendent of Education a report of all expenditures from the Fund for the preceding fiscal year. The report shall include the following information:

1645                   “(1) A detailed description of the equipment or software that was purchased by  
1646 the LEA with money from the Fund, including the cost associated with each piece of equipment  
1647 or software; and

1648                   “(2) A detailed description of the technological improvements that were made to  
1649 the LEA’s school facilities using money from the Fund.”.

1650                   **SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND**

1651                   Sec. 4021. Short title.

1652                   This subtitle may be cited as the “Student Residency Verification Fund Amendment Act  
1653 of 2015”.

1654                   Sec. 4022. Section 2(c) of An Act To require the payment of tuition on account of  
1655 certain persons who attend the public schools of the District of Columbia, and for other purposes,  
1656 approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)), is amended to read  
1657 as follows:

1658                   “(c) All non-resident tuition and fees collected under this section shall be  
1659 deposited in the Student Residency Verification Fund, established by section 15b of the District  
1660 of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official  
1661 Code § 38-312.02).”.

1662                   Sec. 4023. Section 15b(d) of the District of Columbia Nonresident Tuition Act, effective  
1663 May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312.02(d)) is amended to read as  
1664 follows:

1665                   “(d) The Fund shall consist of the revenue from the following sources:

1666 “(1) All payments collected pursuant to this act; and

1667 “(2) All non-resident tuition and fees collected pursuant to section 2(c) of An Act

1668 To require the payment of tuition on account of certain persons who attend the public schools of

1669 the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853;

1670 D.C. Official Code § 38-302)(c).”.

1671 **SUBTITLE D. AT-RISK SUPPLEMENTAL ALLOCATION RESERVATION**

1672 **FUND**

1673 Sec. 4031 Short title.

1674 This subtitle may be cited as the “At-Risk Supplemental Allocation Preservation Fund

1675 Establishment Act of 2015”.

1676 Sec. 4032. At-Risk Supplemental Allocation Preservation Fund.

1677 (a) There is established as a special fund the At-Risk Supplemental Allocation

1678 Preservation Fund (“Fund”), which shall be administered by the Chancellor of the District of

1679 Columbia Public Schools in accordance with subsection (c) of this section.

1680 (b)(1) Subject to the limitations set forth in paragraph (2) of this subsection, at the end of

1681 each school year, all unspent local funds in the District of Columbia Public Schools budget that

1682 are based on the at-risk add-on established by section 106(c) of the Uniform Per Student Funding

1683 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999

1684 (D.C. Law 12-207; D.C. Official Code § 38-2905(c)), shall be deposited in the Fund.

(2) Each year's deposit pursuant to paragraph (1) of this subsection shall not exceed 5% of the lower of the District of Columbia Public Schools budget associated with the at-risk add-on for:

(A) The school year in which the funds would be deposited; or

(B) The school year after the year in which the funds would be deposited.

(c) The Fund shall be used solely to fund services and materials designed to assist at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)).

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

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

#### **SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT**

#### **AMENDMENT**

Sec. 4041. Short title.

This subtitle may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015".

Sec. 4042. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-



1706 610.52(b)(2)), is amended by striking the phrase “the Chancellor of the District of Columbia  
1707 Public Schools Kaya Henderson (\$275,000),” and inserting the phrase “the Chancellor of the  
1708 District of Columbia Public Schools Kaya Henderson (\$284,000),” in its place.

1709 **SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT**

1710 Sec. 4051. Short title.

1711 This subtitle may be cited as the “District of Columbia Public Schools Sponsorship  
1712 Opportunities Amendment Act of 2015”.

1713 Sec. 4052. The District of Columbia Public Schools Agency Establishment Act of 2007,  
1714 effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-171 *et seq.*), is amended by  
1715 adding a new section 105a to read as follows:

1716 “Sec. 105a. Event sponsorships.

1717 “(a) The Chancellor may contract for advertisements and sponsorships for athletics,  
1718 community engagement events, educational programs, or facilities improvements designed to  
1719 generate resources for the District of Columbia Public Schools.

1720 “(b)(1) There is established as a special fund the District of Columbia Public Schools  
1721 Advertisements and Sponsorships Fund (“Fund”), which shall be administered by the Chancellor  
1722 in accordance with paragraph (3) of this subsection.

1723 “(2) The Fund shall consist of all revenue from contracts for advertisements and  
1724 sponsorships for athletics, community engagement events, educational programs, or facilities  
1725 improvements pursuant to subsection (a) of this section.

1726                   “(3) The Fund shall be used for the support of the operations of the District of  
1727 Columbia Public Schools.

1728                   “(4)(A) The money deposited into the Fund, and interest earned, shall not revert  
1729 to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

1730                   “(B) Subject to authorization in an approved budget and financial plan,  
1731 any funds appropriated in the Fund shall be continually available without regard to fiscal year  
1732 limitation.”.

1733                   **SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION**

1734                   Sec. 4061. Short title.

1735                   This subtitle may be cited as the “Educator Evaluation Data Protection Amendment Act  
1736 of 2015”.

1737                   Sec. 4062. The State Education Office Establishment Act of 2000, effective October 21,  
1738 2000 (D.C. Law 13-176; D.C. Official Code§ 38-2601 *et seq.*), is amended by adding a new  
1739 section 7g to read as follows:

1740                   “Sec. 7g. Educator evaluations.

1741                   “(a) Individual educator evaluations and effectiveness ratings, observation, and value-  
1742 added data collected or maintained by OSSE are not public records and shall not be subject to  
1743 disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act,  
1744 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

1745                   “(b) Nothing in this section shall prohibit OSSE from:

1746                   "(1) Using educator evaluations or effectiveness ratings to fulfill existing  
1747 requirements of a state educational agency under applicable federal or local law; or

1748                   "(2) Publicly disclosing aggregate reports and analyses regarding the results of  
1749 educator evaluation data.

1750                   "(c) For the purposes of this section, the term "educator" means a principal, assistant  
1751 principal, school teacher, assistant teacher, or a paraprofessional.”.

1752                   Sec. 3. Section 204(a) of the District of Columbia Administrative Procedure Act,  
1753 effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as  
1754 follows:

1755                   (a) Paragraph (14) is amended by striking the word "and" at the end.

1756                   (b) Paragraph (15) is amended by striking the period and inserting the phrase "; and" in  
1757 its place.

1758                   (c) A new paragraph (16) is added to read as follows:

1759                   "(16) Information exempt from disclosure pursuant to section 7g of the State Education  
1760 Office Establishment Act of 2000, as approved by the Committee of the Whole on May 27, 2015  
1761 (Committee Print of Bill 21-158).”.

1762                   **SUBTITLE H. BOOKS FROM BIRTH**

1763                   Sec. 4071 . Short title.

1764                   This subtitle may be cited as the “Books from Birth Establishment Amendment Act of  
1765 2015”.

Sec. 4072. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended by adding new sections 15 and 16 to read as follows:

“Sec. 15. Books from Birth.

“(a) There is established the Books from Birth program as a program of the District of Columbia Public Library (“DCPL”), to be administered by the Executive Director of DCPL.

“(b) The Books from Birth program shall provide books to all children registered with the program, delivered to the residence of the child at the rate of one per month, from the month following the child’s birth or enrollment in the program to the child’s 5th birthday.

“(c)(1) The Executive Director shall make reasonable efforts to register every child under the age of 5 residing in the District who wishes to participate in the Books from Birth program.

“(2) The Executive Director may enter into such memoranda of agreement or understanding as necessary to ensure each family receives registration information upon the child’s birth.

“(d)(1) Except as provided in paragraph (2) of this subsection, the registration list shall be used solely for activities related to the Books from Birth program and shall not be sold or used for any other purpose.

“(2) The Executive Director may use the registration list to conduct outreach and provide information about library programs and services, including those related to children, adult, or family literacy, or other educational or literacy material as the agency considers useful to registered families.

1787           “(e) Book titles for each age group shall be selected to reflect age-appropriate concepts  
1788 and diversity of characters, culture, and authors.

1789           “(f) The Executive Director may enter into contractual and promotional agreements  
1790 necessary to effectively implement the Books from Birth program.

1791           “Sec. 16. Books from Birth Fund.

1792           “(a) There is established as a special fund the Books from Birth Fund (“Fund”), which  
1793 shall be administered by the Board in accordance with subsection (c) of this section.

1794           “(b) Revenue from the following sources shall be deposited in the Fund:

1795                   “(1) Funds appropriated by the District;

1796                   “(2) Donations from the public;

1797                   “(3) Donations from private entities; and

1798                   “(4) Funds provided through a sponsorship agreement.

1799           “(c) Money in the Fund shall be used to implement and promote the Books from Birth  
1800 program, including:

1801                   “(1) Purchasing books for the Books from Birth program;

1802                   “(2) Handling and delivery costs;

1803                   “(3) Promotional costs; and

1804                   “(4) Appropriate overhead or administrative expenses related to the Books from  
1805 Birth program and the Fund.

1806           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
1807   unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
1808   year, or at any other time.

1809           “(2) Subject to authorization in an approved budget and financial plan, any funds  
1810   appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

1811           **SUBTITLE I. EDUCATION REPORTING REQUIREMENTS**

1812           Sec. 4081. Short title.

1813           This subtitle may be cited as the “Education Reporting Requirements Act of 2015”.

1814           Sec. 4082. Office of the State Superintendent of Education Reporting Requirements.

1815           By October 1, 2015, the Office of the State Superintendent of Education (“OSSE”) shall  
1816   submit to the Council a report on the following:

1817           (1) The status and implementation of its new automated teacher licensure system; and

1818           (2) An update on OSSE’s work to revise the Health Education Standards, including

1819           the

1820   timeline for when the new standards will be released.

1821           Sec. 4083. Public Charter School Board reporting requirements.

1822           By October 1, 2015, the Public Charter School Board shall submit to the Council the  
1823   following:

1824           (1) A report on the distribution of at-risk funds to each local education agency

1825   (“LEA”) it oversees for students in pre-k through grade 12 for school year 2015-2016, which

1826   should include at a minimum the allocation to each LEA, and a specific breakdown of how that

1827 money was or is planned to be spent, including a description of the programs, initiatives, and the  
1828 enrichment activities it supported or is planned to support; and

1829 (2) A report on the status of the public charter schools that have not submitted a  
1830 bullying prevention policy, or have not submitted a compliant bullying prevention policy to the  
1831 Bullying Prevention Task Force in accordance with section 4 of the Youth Bullying Prevention  
1832 Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.03).

1833 Sec. 4084. Deputy Mayor for Education reporting requirements.

1834 By October 1, 2015, the Deputy Mayor for Education shall submit to the Council a report  
1835 on the Cross Sector Collaboration Task Force’s strategic plan and timeline for the process for  
1836 formalizing the disposition of former District of Columbia Public Schools buildings to charter  
1837 schools.

1838 **SUBTITLE J. AT-RISK FUNDING AMENDMENT**

1839 Sec. 4091. Short title.

1840 This subtitle may be cited as the “At Risk Funding Amendment Act of 2015”.

1841 Sec. 4092. Section 108a(b) of the Uniform Per Student Funding Formula for Public  
1842 Schools and Public Charter Schools Act of 1998, effective February 22, 2014 (D.C. Law 20-87;  
1843 D.C. Official Code § 38-2907.01(b)), is amended as follows:

1844 (a) Paragraph (1) is amended to read as follows:

1845 “(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall  
1846 be available for school utilization at the direction of the Chancellor in consultation with the  
1847 principal and local school advisory team, for the purpose of improving student achievement

1848 among at-risk students. By October 1 of each year, the Chancellor shall make publicly available  
1849 an annual report that explains the allocation of funds sorted by individual schools.”.

1850 (b) Paragraph (2) is repealed.

1851 **SUBTITLE K. ENVIRONMENTAL LITERACY PILOT**

1852 Sec. 4101. Short title.

1853 This subtitle may be cited as the “Environmental Literacy Specialist Pilot Program  
1854 Amendment Act of 2015”.

1855 Sec. 4102. Section 502 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C.  
1856 Law 18-209; D.C. Official Code § 38-825.02), is amended by adding a new subsection (d) to  
1857 read as follows:

1858 “(d)(1) The Office of the State Superintendent of Education (“OSSE”) shall establish a  
1859 one-year pilot program to provide funds to employ environmental literacy specialists at selected  
1860 District of Columbia Public Schools elementary schools and public charter elementary schools .

1861 “(2) For the pilot program, OSSE shall make funds available for 4 environmental  
1862 literacy specialists. Each environmental literacy specialist shall serve at 2 of the selected schools.

1863 “(3) Only schools that have an existing school garden or plan to create a school  
1864 garden with the assistance of an environmental literacy specialist may submit as application to  
1865 participate in the pilot program. OSSE shall select 8 schools from among the applicants to  
1866 participate in the pilot program.

1867 “(4) Each environmental literacy specialist shall:

1868 “(A) Create, if applicable, and maintain the school garden;



1869                           “(B) Implement composting and recycling programs;  
1870                           “(C) Implement the 2012 environmental literacy plan developed pursuant  
1871 to this section; and  
1872                           “(D) Assist teachers with incorporating earth science into lesson plans.”.

1873                   **SUBTITLE L. DISTRICT OF COLUMBIA PUBLIC LIBRARY REVENUE**  
1874 **GENERATING SERVICES**

1875               Sec. 4111. Short title.

1876               This subtitle may be cited as the “District of Columbia Public Library Revenue  
1877 Generating Services Amendment Act of 2015”.

1878               Sec. 4112. An Act to establish and provide for the maintenance of a free public library  
1879 and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D. C.  
1880 Official Code § 39-101 *et seq.*), is amended as follows:

1881               (a) Section 5(a) (D.C. Official Code § 39-105(a)) is amended by adding new paragraphs  
1882 (14) and (15) to read as follows:

1883                           “(14) Allow, subject to rules issued pursuant to paragraph (15) of this subsection,  
1884 revenue-generating activities on District of Columbia Public Library property; provided, that:

1885                           “(A)(i) Revenue-generating activity conducted by the District of Columbia  
1886 Public Library shall benefit the public but need not be related to library services as described in  
1887 this act; and

1888                           “(ii) Revenue generated pursuant to this subparagraph shall be  
1889 deposited in the DCPL Revenue Generating Services Fund, established pursuant to section 15;

1890                   “(B) Revenue-generating activity may be conducted by private users only  
1891 with a permit granted by and at the discretion of the Board and after payment of a fee reasonably  
1892 determined to cover the costs that will be incurred by the District of Columbia Public Library as  
1893 a result of the activity; and

1894                   “(C) Private users conducting revenue-generating activity may solicit  
1895 donations subject to the District of Columbia Charitable Solicitation Act, approved July 10, 1957  
1896 (71 Stat. 278; D.C. Official Code § 44-1701 *et seq.*).

1897                   “(15) Within 90 days of the effective date of the District of Columbia Public  
1898 Library Revenue Generating Services Amendment Act of 2015, issue rules to implement the  
1899 provisions of paragraph (14) of this subsection.”.

1900           (b) A new section 15 is added to read as follows:

1901           “Sec. 15. DCPL Revenue Generating Services Fund.

1902           “(a) There is established as a special fund the DCPL Revenue Generating Services Fund  
1903 (“Fund”) which shall be administered by the Board in accordance with subsection (c) of this  
1904 section.

1905           “(b) The Fund shall consist of the revenue from revenue-generating activities and  
1906 services described in section 5(a)(14).

1907           “(c) The Fund shall be used for the following purposes:

1908                   “(1) Payment of any expenses associated with activities and services described  
1909 in section 5(a)(14), including expenses for space rental and special events associated with the  
1910 activities and services authorized in section 5(a)(14); and

1911                   “(2) Payment of any non-personnel costs related to the library services mission of  
1912 the District of Columbia Public Library.”.

1913                   Sec. 4113. Applicability.

1914                   This subtitle shall apply as of March 25, 2015.

1915                   **SUBTITLE M. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING**

1916                   Sec. 4121. Short title.

1917                   This subtitle may be cited as the “My School DC EdFest Sponsorship and Advertising  
1918 Act of 2015”.

1919                   Sec. 4122. (a) Notwithstanding any other provision of law, the Deputy Mayor of  
1920 Education may enter into one or more written agreements for advertisements and sponsorships  
1921 to fund My School DC EdFest, an annual citywide public school fair.

1922                   (b) An agreement pursuant to this section shall not require the District to expend funds.

1923                   (c) Only advertisements shall be agreed to in exchange for corporate goods, services, or  
1924 funds.

1925                   (d) There shall be no limit to the value of goods, services, or funds that may be  
1926 received from an organization, registered or not, or from an individual, regardless of whether  
1927 the organization is located, or the individual resides, within the District of Columbia.

1928                   (e) Any sponsorship or advertisement pursuant to this section shall be memorialized by  
1929 written agreement of the parties.

1930                   (f) The Deputy Mayor of Education shall keep an accounting of all goods, services, and  
1931 funds received pursuant to this section and shall submit to the Mayor and to the Council of the

1932 District of Columbia a report accounting for all goods, services, and funds received pursuant to  
1933 this section by December 31st of each year..

1934 **SUBTITLE N. YOUTH BULLYING PREVENTION**

1935 Sec. 4131. Short title.

1936 This subtitle may be cited as the “Youth Bullying Prevention Amendment Act of 2015”.

1937 Sec. 4132. Section 3 of the Youth Bullying Prevention Act of 2012, effective September  
1938 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.02), is amended as follows:

1939 (a) Subsection (c) is amended as follows:

1940 (1) Paragraph (5) is amended by striking the word “and”.

1941 (2) New paragraphs (5A), (5B), and (5C) are added to read as follows:

1942 “(5A) Appropriately engage parents and legal guardians of youth served by each  
1943 agency in bullying prevention efforts;

1944 “(5B) Provide to each agency and parents or legal guardians a referral list of  
1945 community-based programs or similar resources that mitigate bullying and address identified  
1946 behavioral health needs as necessary;

1947 “(5C) Provide consultation and review evidence-based school climate data to  
1948 ensure full implementation of the law; and”.

1949 (b) Subsection (d) is amended by striking the phrase “2 years after its initial meeting” and  
1950 inserting the phrase “by August 2018” in its place.

1951 **SUBTITLE O. EARLY LITERACY GRANT PROGRAM**

1952 Sec. 4141. Short title.

1953           This subtitle may be cited as the “Early Literacy Grant Program Amendment Act of  
1954 2015”.

1955           Sec. 4142. Section 3(b) of the State Education Office Establishment Act of 2000,  
1956 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)) is amended as  
1957 follows:

1958           (a) Paragraph (22) is amended by striking the phrase “; and” and inserting a semicolon in  
1959 its place.

1960           (b) Paragraph (23) is amended by striking the period and inserting the phrase “; and” in  
1961 its place.

1962           (c) A new paragraph (24) is added to read as follows:

1963                   “(24)(A) Establish a competitive grant program to supplement funding for  
1964 existing early literacy programs targeting 3rd-grade reading success.

1965                           “(B) Each grantee shall, at a minimum:

1966                                   “(i) Provide a full continuum of school-based, early literacy  
1967 intervention services for all grades pre-K through 3rd consisting of developmentally appropriate  
1968 components for each grade;

1969                                   “(ii) Deliver the literacy program by professionally coached  
1970 interventionists;

1971                                   “(iii) Provide direct services each day that school is in session;

1972                                   “(iv) Collect data on student progress monthly; and

1973 “(v) Use an intervention model that is comprehensive and has been  
1974 proven to be effective in one or more empirical studies.

1975 “(C) Local education agencies are not eligible for this funding.”.

1976 **SUBTITLE P. DEPUTY MAYOR FOR EDUCATION LIMITED GRANT**  
1977 **MAKING AUTHORITY**

1978 Sec. 4151. Short title.

1979 This subtitle may be cited as the “Deputy Mayor for Education Limited Grant-Making  
1980 Authority Amendment Act of 2015”.

1981 Sec. 4152. Deputy Mayor for Education limited grant-making authority.

1982 For Fiscal Year 2016, the Deputy Mayor for Education shall have grant-making authority  
1983 solely to provide:

1984 (1) A grant of \$270,000 to an organization to provide advocacy, individual  
1985 counseling, academic support, enrichment, life-skills training, and employment-readiness  
1986 services for high school students in the District who are at risk of dropping out; provided, that the  
1987 grant issued under this section shall be administered pursuant to the Grant Administration Act of  
1988 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

1989 (2) A grant of \$148,000 to an organization to provide a music instruction program  
1990 serving elementary school students in the District that have limited means to afford or access to  
1991 instrumental music instruction; provided, that the grant issued under this section shall be  
1992 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
1993 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

1994           **SUBTITLE Q. PUBLIC CHARTER SCHOOL PAYMENT REPROGRAMMING**

1995           Sec. 4161. Short title.

1996           This subtitle may be cited as the “Public Charter School Payment Reprogramming  
1997 Amendment Act of 2015”.

1998           Sec. 4162. Section 2403(a)(2) of The District of Columbia School Reform Act of 1995,  
1999 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(a)(2)), is amended by  
2000 adding a new subparagraph (E) to read as follows:

2001                           “(E) Any funds appropriated for public charter school payments and  
2002 which remain in the escrow account for public charter schools in excess of public charter school  
2003 payment requirements shall only be reprogrammed to another District agency or program within  
2004 the education sector of the District government, including the University of the District of  
2005 Columbia.”.

2006           **SUBTITLE R. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2007           **FUNDRAISING MATCH**

2008           Sec. 4171. Short title.

2009           This subtitle may be cited as the “University of the District of Columbia Fundraising  
2010 Match Amendment Act of 2015”.

2011           Sec. 4172. In Fiscal Year 2016 and each fiscal year thereafter, of the funds allocated to  
2012 the Non-Departmental agency, an amount up to \$1 million shall be transferred to the University  
2013 of the District of Columbia ("UDC") to match dollar-for-dollar the amount UDC raises in private

2014 donations by January 1 of that fiscal year for the purpose of meeting accreditation standards and  
2015 implementation of the university’s strategic plan.

2016           **SUBTITLE S. PUBLIC CHARTER SCHOOL BOARD ADMINISTRATIVE**  
2017 **FUND**

2018           Sec. 4181. Short title.

2019           This subtitle may be cited as the “Public Charter School Board Administrative Fund  
2020 Amendment Act of 2015”.

2021           Sec. 4182. Section 2214 of the District of Columbia School Reform Act of 1995,  
2022 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), is amended by  
2023 adding a new subsection (g-1) to read as follows:

2024           “(g-1)(1) There is established as a special fund the District of Columbia Public Charter  
2025 School Board Fund (“the Fund”), which shall be administered by the Board in accordance with  
2026 paragraph (3) of this subsection.

2027           “(2) There shall be deposited into the fund:

2028                   “(A) All fees authorized by section 2211 of this act;

2029                   “(B) Appropriations as authorized by subsection (g) of this section; and

2030                   “(C) Any other revenues, including grants or gifts, dedicated to the Fund.

2031           “(3) The fund shall be used to pay for goods, services, property, capital  
2032 improvements, or any other permitted use as authorized by this section or section 2211 of this  
2033 act.



2034                   “(4)(A) The money deposited into the fund, and interest earned, shall not revert to  
2035 the unrestricted fund balance of the General Fund of the District of Columbia at the end of a  
2036 fiscal year, or at any other time.

2037                   “(B) Subject to approval by Congress, any funds appropriated in the Fund  
2038 shall be continually available without regard to fiscal year limitation.”.

2039   **SUBTITLE T. RAISING EXPECTATIONS FOR EDUCATION AMENDMENT**

2040           Sec. 4191. Short title.

2041           This subtitle may be cited as the “Raising Expectations for Education Amendment Act of  
2042 2015”.

2043           Sec. 4192. Section 403 of the Raising the Expectations for Education Outcomes Omnibus  
2044 Act of 2012, effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03), is  
2045 amended as follows:

2046           (a) Subsection (a) is amended as follows:

2047                   (1) Paragraphs (1) and (2) are amended to read as follows:

2048                   “(1) A focus on mental health prevention and treatment services;

2049                   “(2) A student population where more than 60% of the students are at-risk as  
2050 defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and  
2051 Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official  
2052 Code § 38-2901(2A)); and”.

2053                   (2) A new paragraph (3) is added to read as follows:

2054                   “(3) A focus on improving academic outcomes for students.”.

2055 (b) Subsection (d) is amended as follows:

2056 (1) Paragraph (4) is amended by striking the phrase “; and” and inserting a  
2057 semicolon in its place.

2058 (2) Paragraph 5(C) is amended by striking the period and inserting the phrase “;  
2059 and” in its place.

2060 (3) A new paragraph (6) is added to read as follows:

2061 “(6) Meet at least annually to review and evaluate the annual progress of the  
2062 Incentive Initiative and to make recommendations, if any, to the Mayor and the Council for  
2063 improvement of the Incentive Initiative.”.

2064 (c) Subsection (e) is amended as follows:

2065 (1) Paragraph (1) is amended to read as follows:

2066 “(1) An assessment of the local school community, the neighborhood’s needs and  
2067 assets, and an analysis of the academic, health, and social service needs of the target population  
2068 of students;”.

2069 (2) Paragraph (4) is amended by striking the phrase “; and” and inserting a  
2070 semicolon in its place.

2071 (3) Paragraph (5) is amended by striking the period and inserting a semicolon in  
2072 its place.

2073 (4) New paragraphs (6) and (7) are added to read as follows:

“(6) A narrative description of the program approach, including an implementation action plan and explanation of how the chosen approach is evidence-based either through research or other proven community schools models; and

“(7) A plan for quarterly qualitative and quantitative program evaluation, including measurable indicators of success in areas such as student academic achievement; graduation and attendance rate; and improvement in student health and socio-emotional well-being.”.

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

### **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

#### **AMENDMENT**

Sec. 5001. Short title.

This subtitle may be cited as the “Temporary Assistance for Needy Families Amendment Act of 2015”.

Sec. 5002. Section 552 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52), is amended as follows:

(a) Subsection (c-3) is amended as follows:

(1) Paragraph (2) is amended by striking the word “and” at the end.

(2) Paragraph (3) is amended to read as follows:

“(3) For fiscal year 2016, the level of assistance payment shall be equal to the fiscal year 2015 amount, plus an amount equal to the fiscal year 2015 amount multiplied by the

2095 Consumer Price Index percentage increase in the Consumer Price Index for Urban Consumers  
2096 (CPI-U) for all items from the preceding calendar year, as determined by the United States  
2097 Department of Labor Bureau of Labor Statistics; and”.

2098 (3) A new paragraph (4) is added to read as follows:

2099 “(4) For fiscal year 2017 and thereafter, no benefits shall be provided.”

2100 (b) A new subsection (d-1) is added to read as follows:

2101 “(d-1)(1) Effective October 1, 2014, the assistance levels set forth in subsection (c) of  
2102 this section shall be adjusted annually for the rate of inflation, except for the following:

2103 “(A) For fiscal year 2017 the assistance level shall be increased by 15.3%;

2104 “(B) For fiscal year 2018 the assistance level shall be increased by 13.3%;

2105 and

2106 “(C) For fiscal year 2019 the assistance level shall be increased by 11.8%.

2107 “(2) In annually adjusting the assistance levels for the rate of inflation, the prior  
2108 year’s assistance level shall be increased by an amount equal to the prior year’s assistance level  
2109 multiplied by the Consumer Price Index percentage increase in the Consumer Price Index for  
2110 Urban Consumers (CPI-U) for all items from the preceding calendar year, as determined by the  
2111 United States Department of Labor Bureau of Labor Statistics.”.

2112 **SUBTITLE B. MEDICAL ASSISTANCE PROGRAM AMENDMENTS**

2113 Sec. 5011. Short title.

2114 This subtitle may be cited as the “Medical Assistance Program Emergency Amendment  
2115 Act of 2015”.

2116           Sec. 5012. Section 1(a) of an Act To enable the District of Columbia to receive Federal  
2117 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
2118 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-  
2119 307.02), is amended as follows:

2120           (a) Subsection (a) is amended by adding a new paragraph (9) to read as follows:

2121                   “(9) Review and approval by the Council of the Fiscal Year 2016 Budget and  
2122 Financial Plan shall constitute the Council review and approval required by paragraph (2) of this  
2123 subsection of any amendment, modification, or waiver of the state plan required to:

2124                           “(A) Update the reimbursement methodology model for intermediate care  
2125 facilities for persons with developmental disabilities to ensure compliance with federal law;

2126                           “(B) Update the payment methodology for hospital services;

2127                           “(C) Update the payment methodology for Federally-Qualified Health  
2128 Centers;

2129                           “(D) Update the payment methodology and program standards for Home  
2130 Health Agencies;

2131                           “(E) Create health homes for chronically ill District residents; and

2132                           “(F) Establish a supplemental payment to District Medicaid hospitals for  
2133 in-patient services; and

2134                           “(G) Establish a supplemental payment to District Medicaid hospitals for  
2135 outpatient services.”

2136           **SUBTITLE C. POWER EXPANSION AMENDMENT**

2137           Sec. 5021. Short title.

2138           This subtitle may be cited as the “POWER Expansion Amendment Act of 2015”.

2139           Sec. 5022. Section 572a(a) of the District of Columbia Public Assistance Act of 1982,  
2140 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 4-205.72a(a)), is amended  
2141 as follows:

2142           (a) The lead-in language is amended by striking the phrase “beginning October 1,  
2143 2013,”.

2144           (b) Paragraph (1)(B) is amended by striking the phrase “Is needed” and inserting the  
2145 phrase “Beginning October 1, 2013, is needed” in its place.

2146           (c) A new paragraph (1A) is added to read as follows:

2147           “(1A) Beginning October 1, 2016, is a single custodial parent or caretaker with a  
2148 child under 6 months of age; provided, that no parent or caretaker may remain eligible for  
2149 assistance under this paragraph for more than 12 months;”.

2150           **SUBTITLE D. PHARMACEUTICAL DETAILING LICENSURE EXEMPTION**

2151           Sec. 5031. Short title.

2152           This subtitle may be cited as the “Pharmaceutical Detailing Licensure Exemption  
2153 Amendment Act of 2015”.

2154           Sec. 5032. The District of Columbia Health Occupations Revision Act of 1985, effective  
2155 March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 et seq.), is amended as follows:

2156           (a) Section 502(a) (D.C. Official Code § 3-1205.02(a)) is amended by adding a new  
2157 paragraph (2A) to read as follows:

2158           “(2A) To an individual engaged in the practice of pharmaceutical detailing for less than  
2159 30 consecutive days per calendar year;”.

2160           (b) Section 741(a) (D.C. Official Code § 3-1207.41(a)) is amended by striking the phrase  
2161 “An individual” and inserting the phrase “Except as provided in section 502(a)(2A), an  
2162 individual” in its place.

2163           (c) Section 745 (D.C. Official Code § 3-1207.45) is amended by striking the phrase “a  
2164 person” and inserting the phrase “a person, except as provided in section 502(a)(2A),”  
2165 in its place.

2166           **SUBTITLE E. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION**

2167           Sec. 5041. Short title.

2168           This subtitle may be cited as the “Department of Health Functions Clarification  
2169 Amendment Act of 2015”.

2170           Sec. 5042. Section 4907a of the Department of Health Functions Clarification Act of  
2171 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-736.01), is amended  
2172 by adding a new subsection (h) to read as follows:

2173           “(h)(1) For Fiscal Year 2016, the Director of the Department of Health shall have the  
2174 authority to issue grants to qualified community organizations for the purpose of providing the  
2175 following services:

2176                       “(A) Programs designed to promote healthy development in girls

2177 attending public and chartered schools in grades 8-12 located in areas of the city possessing the  
2178 highest rates of teen pregnancy and highest enrollment in state-funded health programs in the  
2179 District, not to exceed \$569,000;

2180                               “(B) Clinical nutritional home delivery services for individuals living with  
2181 cancer and other life-threatening diseases, not to exceed \$150,000; and

2182                               “(C) Programs designed to support teen peer educators who work to  
2183 provide sexual health information and condoms to youth, not to exceed \$157,000.”

2184                               “(2) All grants issued pursuant to paragraph (1) of this subsection shall be  
2185 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
2186 effective *et seq.*.”

2187                               “(3) The Department of Health shall submit a quarterly report to the Secretary to  
2188 the Council on all grants issued pursuant to the authority granted in paragraph (1) of this  
2189 subsection.”.

2190                   **SUBTITLE F. TEEN PREGNANCY PREVENTION FUND**

2191                   Sec. 5051. Short title.

2192                   This subtitle may be cited as the “Teen Pregnancy Prevention Fund Establishment  
2193 Amendment Act of 2015”.

2194                   Sec. 5052. Section 5146 of the Teen Pregnancy Prevention Fund Establishment Act of  
2195 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is amended by striking the  
2196 phrase “For Fiscal Year 2015” and inserting the phrase “For Fiscal Year 2016” in its place.



2197           **SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**  
2198 **PAYMENT**

2199           Sec. 5061. Short title.

2200           This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment  
2201 Act of 2015".

2202           Sec. 5062. Definitions.

2203           For the purposes of this subtitle, the term:

2204           (1) "Department" means the Department of Health Care Finance.

2205           (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-  
2206 Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983,  
2207 effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes  
2208 any hospital operated by the federal government.

2209           (3) "Hospital system" means any group of hospitals licensed separately, but operated,  
2210 owned, or maintained by a common entity.

2211           (4) "Medicaid" shall have the same meaning as provided in section 5072 of the Fiscal  
2212 Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.  
2213 Official Code § 44-651(5)).

2214           (5) "Outpatient gross patient revenue" means the amount calculated in accordance with  
2215 generally accepted accounting principles for hospitals as derived from each hospital's filed  
2216 Medicare cost report ending between October 1, 2012, and June 30, 2013, that is reported as the  
2217 sum of Worksheet G-2; Column 2; Lines 18 and 19 of the Medicare Cost Report (2552-10).

2218           Sec. 5063. Hospital Provider Fee Fund.

2219           (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which  
2220 shall be administered by the Department in accordance with subsections (c) and (d) of this  
2221 section.

2222           (b) Revenue from the following sources shall be deposited in the Fund:

2223                   (1) Fees collected under this subtitle; and

2224                   (2) Interest and penalties collected under this subtitle.

2225           (c) The Fund may only be used for the following purposes:

2226                   (1) Making Medicaid outpatient hospital access payments to hospitals as required  
2227 under section 5066;

2228                   (2) Payment of administrative expenses incurred by the Department or its agent in  
2229 performing the activities authorized by this subtitle in an amount not to exceed \$150,000  
2230 annually and shall be prorated based on the effective date of the subtitle; and

2231                   (3) Providing refunds to hospitals pursuant to section 5065.

2232           (d) Money in the Fund may not be used to replace money appropriated to the Medicaid  
2233 program.

2234           (e)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2235 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2236 year, or at any other time.

2237                               (2) Subject to authorization in an approved budget and financial plan, any  
2238 funds appropriated in the Fund shall be continually available without regard to fiscal year  
2239 limitation.

2240               Sec. 5064. Hospital provider fee.

2241               (a) In accordance with section 5065, the District may charge a fee at a uniform rate on  
2242 each hospital's outpatient gross patient revenue beginning October 1, 2015. The hospital  
2243 provider fee is applied at a uniform rate to generate the following:

2244                               (1) An amount equal to the non-federal share of the total available spending room  
2245 under the Medicaid upper payment limit for private hospitals applicable to District fiscal year  
2246 ("DFY") 2016 consistent with the federal approval of the authorizing Medicaid State Plan  
2247 amendment; plus

2248                               (2) An amount equal to the lesser of the non-federal share of the total available  
2249 spending room under the Medicaid upper payment limit for District operated hospitals applicable  
2250 to DFY 2016 consistent with the federal approval of the authorizing Medicaid State Plan  
2251 amendment or United Medical Center's Medicaid disproportionate share hospital limit as  
2252 adjusted by the District in accordance with the federally approved Medicaid State Plan; plus

2253                               (3) An amount equal to the Department's administrative expenses as described in  
2254 section 5063(b)(2).

2255               (b) A psychiatric hospital provider that is an agency or a unit of the District government  
2256 is exempt from the fee imposed under subsection (a) of this section, unless the exemption is  
2257 adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital

2258 provider that is an agency or a unit of the District government shall pay the fee imposed by  
2259 subsection (a) of this section.

2260 Sec. 5065. Applicability of fees.

2261 (a) The fee imposed by section 5064 shall not be due and payable until such time that the  
2262 federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
2263 amendment authorizing the Medicaid payments described in section 5066.

2264 (b) The fee imposed by section 5064 shall cease to be imposed, and any moneys  
2265 remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them,  
2266 if:

2267 (1) The Department makes changes in its rules that reduce the hospital inpatient  
2268 or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect  
2269 on October 1, 2014; or

2270 (2) The payments to hospitals required under section 5066 are modified in any  
2271 way other than to secure federal approval of such payments as described in section 5066 or are  
2272 not eligible for federal matching funds under section 1903(w) of the Social Security  
2273 Amendments Act of 1965, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social  
2274 Security Act”).

2275 (c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if  
2276 the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social  
2277 Security Act, as determined by the Centers for Medicare and Medicaid Services.

2278           (d)(1) Should the fee imposed by section 5064 not take effect or cease to be imposed,  
2279   moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section  
2280   5066 to the extent federal matching is available.

2281           (2) If federal matching is not available due to a determination by the Centers for  
2282   Medicare and Medicaid Services that the provider fee is impermissible, any remaining moneys  
2283   shall be refunded to hospitals in proportion to the amounts paid by them.

2284           Sec. 5066. Medicaid outpatient hospital access payments.

2285           (a)(1) For visits and services beginning October 1, 2015, quarterly Medicaid outpatient  
2286   hospital access payments shall be made to each private hospital.

2287           (2) Each payment will be equal to the hospital's DFY 2013 outpatient Medicaid  
2288   payments divided by the total in District private hospital DFY 2013 outpatient Medicaid  
2289   payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

2290           (3) The total outpatient private hospital access payment pool is equal to the total  
2291   available spending room under the private hospital outpatient Medicaid upper payment limit for  
2292   DFY 2016.

2293           (b)(1) Any private hospital that is also a Disproportionate Share Hospital ("DSH") will  
2294   receive no more than the available room under their District-adjusted, hospital-specific DSH  
2295   limit.

2296           (2) Any Medicaid outpatient hospital access payments that would otherwise  
2297   exceed a private disproportionate share hospital's adjusted DSH limit shall be distributed to the

2298 remaining private hospitals consistent with each private hospital's relative share of DFY 2013  
2299 Medicaid payments.

2300 (c)(1) For visits and services beginning October 1, 2015, outpatient hospital access  
2301 payments shall be made to the United Medical Center.

2302 (2) Each payment will be equal to one quarter of the total outpatient public  
2303 hospital access payment pool.

2304 (3) The total outpatient public hospital access payment pool is equal to the lesser  
2305 of the total available spending room under the District-operated hospital outpatient Medicaid  
2306 upper payment limit for DFY 2016, and the United Medical Center District-adjusted Medicaid  
2307 DSH limit.

2308 (d) The quarterly Medicaid outpatient hospital access payments shall be made within 15  
2309 business days after the end of each DFY quarter for the Medicaid visits and services rendered  
2310 during that quarter.

2311 (e) No payments shall be made under this section until such time that the federal Centers  
2312 for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing  
2313 the Medicaid payments described in this subtitle.

2314 (f) The Medicaid payment methodologies authorized under this subtitle shall not be  
2315 altered in any way unless such alteration is necessary to gain federal approval from the Centers  
2316 for Medicare and Medicaid Services.

2317 Sec. 5067. Quarterly notice and collection.

2318 (a) The fee imposed under section 5064 shall be due and payable by the 15th of the last  
2319 month of each DFY quarter. The fee imposed under section 5064 shall be calculated, due, and  
2320 payable on a quarterly basis, but shall not be due and payable until:

2321 (1) The District issues the written notice that the payment methodologies to  
2322 hospitals required under section 5066 have been approved by the federal Centers for Medicare  
2323 and Medicaid Services;

2324 (2) The District issues written notice to each hospital informing the hospital of its  
2325 fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a  
2326 quarterly basis; and

2327 (3) The initial written notice from the District shall include all fee amounts owed  
2328 beginning with the period October 1, 2015, to ensure all applicable fee obligations have been  
2329 identified.

2330 (c)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle,  
2331 the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof,  
2332 which shall be added to the unpaid balance.

2333 (2) Chief Financial Officer may arrange a payment plan for the amount of the fee  
2334 and interest in arrears.

2335 (d) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2336 allowable cost for purposes of Medicaid hospital reimbursement.

2337 Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

2338           (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2339 by the Department of Health, the provider shall pay the fee for each hospital separately.

2340           (b)(1) Notwithstanding any other provision in this subtitle, if a hospital provider that is  
2341 subject to a fee under section 5064 ceases to conduct, operate, or maintain a hospital, as  
2342 evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the  
2343 cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a  
2344 fraction, the numerator of which is the number of days in the year during which the hospital  
2345 provider conducted, operated, or maintained the hospital, and the denominator of which is 365.

2346           (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the  
2347 person shall pay the fee for the year as so adjusted to the extent not previously paid.

2348           (c) Notwithstanding any other provision in this subtitle, a hospital provider who conducts,  
2349 operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed  
2350 under section 5064 and subsection (a) of this section in installments on the due dates stated in the  
2351 notice and on the regular installment due dates for the DFY occurring after the due dates of the  
2352 initial notice.

2353           Sec. 5069. Rules.

2354           The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
2355 approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-501 et seq.), may issue rules to  
2356 implement the provisions of this subtitle.

2357           Sec. 5070. Applicability; sunset.

2358           (a) This subtitle shall apply as of October 1, 2015.



2359 (b) This subtitle shall sunset as of September 30, 2016.

2360 **SUBTITLE H. MEDICAID HOSPITAL INPATIENT FEE**

2361 Sec. 5071. Short title.

2362 This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Act of 2015".

2363 Sec. 5072. Definitions.

2364 For the purposes of this subtitle, the term:

2365 (1) "Department" means the Department of Health Care Finance.

2366 (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the  
2367 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
2368 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-50l(a)(1)), but  
2369 excludes any hospital operated by the federal government and any specialty hospital, as defined  
2370 by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed  
2371 under a specialty hospital reimbursement methodology under the State Plan.

2372 (3) "Hospital system" means any group of hospitals licensed separately but  
2373 operated, owned, or maintained by a common entity.

2374 (4) "Inpatient net patient revenue" means the amount calculated in accordance  
2375 with generally accepted accounting principles for hospitals as derived from each hospital's filed  
2376 Medicare cost report ending between October 1, 2012, and June 30, 2013, using the Medicare  
2377 Cost Report (2552-10) references below:

2378 (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18.

2379 (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6,

2380 and 7 divided by Worksheet G-2; column 1; line 17 multiplied by Worksheet G-2; Column 1;  
2381 Line 18.

2382 (C) Divided by: Worksheet G-2; Column 3; line 28

2383 (D) Multiplied by: Worksheet G-2; Column 1; Line 3

2384 (5) "Medicaid" shall have the same meaning as provided in section 5072 of the  
2385 Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61;  
2386 D.C. Official Code § 44-651(5)).

2387 Sec. 5073. Hospital Fund.

2388 (a) There is established as a special fund the Hospital Fund ("Fund"), which shall be  
2389 administered by the Department in accordance with subsection (c) of this section.

2390 (b) Revenue from the following sources shall be deposited in the Fund:

2391 (1) Fees collected under this subtitle;

2392 (2) Interest and penalties collected under this subtitle; and

2393 (3) Other amounts collected under this subtitle.

2394 (b) Money in the Fund shall be used solely as set forth in section 5074 (a)(2) of this act.

2395 (c) The money deposited in the Fund, and interest earned, shall not revert to the  
2396 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2397 year, or at any other time; provided, that any remaining money in the Fund at the end of each  
2398 fiscal year shall be refunded to hospitals in proportion to the amounts paid by them and shall be  
2399 subject to Congressional appropriations.

2400 Sec. 5074. Hospital provider fee.

2401           (a)(1) Except as provided in subsection (b) of this section and section 5077, the  
2402 District may charge a fee at a uniform rate on the inpatient net patient revenue of each hospital  
2403 beginning October 1, 2015.

2404           (2) The hospital provider fee is applied at a uniform rate necessary to generate no  
2405 more than \$10,400,000. Of this amount, \$1,400,000 may be used to support the Medicaid  
2406 Managed Care Organization (“MCO”) rates for inpatient hospitalization. The remaining amount  
2407 must be used to support the maintenance of inpatient Medicaid Fee-for-Service rates at the  
2408 District Fiscal Year (“DFY”) 2015 level of 98% of cost to non-specialty hospitals.

2409           (3) The hospital provider fee collected pursuant to this section shall be deposited  
2410 in the Hospital Fund, established by section 5073.

2411           (b) A psychiatric hospital provider that is an agency or a unit of the District government  
2412 is exempt from the fee imposed under subsection (a) of this section, unless the exemption is  
2413 adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital  
2414 provider that is an agency or a unit of the District government shall pay the fee imposed by  
2415 subsection (a) of this this section.

2416           Sec. 5075. Quarterly notice and collection.

2417           (a) The fee imposed under section 5074 shall be due and payable by the 15th of the last  
2418 month of each DFY quarter.

2419           (b) The fee imposed under section 5074 shall be calculated, due, and payable on a  
2420 quarterly basis, but shall not be due and payable until:

2421           (1) The District issues the written notice that the payment methodologies to

2422 hospitals required under section 5074 have been approved by the federal Centers for Medicare  
2423 and Medicaid Services;

2424 (2) The District issues written notice to each hospital informing the hospital of its  
2425 fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly  
2426 basis; and

2427 (3) The initial written notice from the District shall include all fee amounts owed  
2428 beginning with the period October 1, 2015, to ensure all applicable fee obligations have been  
2429 identified.

2430 (c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid  
2431 balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be  
2432 added to the unpaid balance.

2433 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
2434 fee and interest in arrears.

2435 (d) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2436 allowable cost for purposes of Medicaid hospital reimbursement.

2437 Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals.

2438 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2439 by the Department of Health, the provider shall pay the fee for each hospital separately.

2440 (b) Notwithstanding section 5074, if a hospital provider that is subject to a fee under  
2441 section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or  
2442 surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be

2443 adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of  
2444 which is the number of days in the year during which the provider conducts, operates, or  
2445 maintains the hospital and the denominator of which is 365. Immediately upon ceasing to  
2446 conduct, operate, or maintain a hospital, the person shall pay the fee for the year as so adjusted  
2447 (to the extent not previously paid).

2448 (c) Notwithstanding any other provision of this subtitle, a hospital provider who  
2449 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee  
2450 required under 5074 in accordance with subsection (a) of this section on the due date stated in  
2451 the notice and on the regular installment due dates for the DFY occurring after the due date of  
2452 the initial notice.

2453 Sec. 5077. Federal determinations; suspension and termination of assessment.

2454 (a) If the federal government determines that an assessment imposed on a hospital  
2455 pursuant to this subtitle does not satisfy the requirements for federal financial participation set  
2456 forth in section 1903(w) of the Social Security Act Amendments Act of 1965 (“Social  
2457 Security Act”), approved July 30, 1965 (70 Stat. 349; 42 U.S.C. § 1396b(w)), that  
2458 determination shall not affect the validity, amount, applicable rate, or any other terms of an  
2459 assessment on other hospitals imposed by this subtitle.

2460 (b) If the federal government determines that an exclusion for specialty hospitals under  
2461 this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-  
2462 based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social  
2463 Security Act, the exclusion of specialty hospitals shall not be made.

2464           Sec. 5078. Rules.

2465           The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
2466 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue  
2467 rules to implement the provisions of this subtitle.

2468           Sec. 5079. Applicability; sunset.

2469           (a) This subtitle shall apply as of October 1, 2015.

2470           (b) This subtitle shall sunset as of September 30, 2016.

2471           **SUBTITLE I. UNDERSERVED YOUTH COMMUNITY REPROGRAMMING**

2472           Sec. 5081. Short title.

2473           This subtitle may be cited as the “Underserved Youth Community Programming  
2474 Amendment Act of 2015”.

2475           Sec. 5082. Section 2403(a-1) of the Children and Youth Initiative Establishment Act of  
2476 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1553(a-1)), is  
2477 amended by adding a new paragraph (4) to read as follows:

2478                   “(4) For Fiscal Year 2016, \$660,448 of available funds for sub-grants shall be  
2479 awarded to the following types of programs to serve children and youth in areas of the city  
2480 possessing the highest rates of poverty:

2481                           “(A) Out-of-school time programs for underserved children and youth that  
2482 include free after school and summer day camps provided at public schools, community centers,  
2483 and community rooms in public housing;

2484                   “(B) Programs through which students, faculty, and staff engage in the  
2485 District through activism, advocacy, service, volunteer projects, and community-based learning  
2486 and research opportunities;

2487                   “(C) Programs to educate youth on how to plan and prepare healthy meals;

2488                   “(D) Afterschool and summer academic programs for 5<sup>th</sup> through 8<sup>th</sup>  
2489 graders in at-risk communities, which programs are designed to combine demanding academic  
2490 work with mentoring, skill-building, and individual student achievement plans;

2491                   “(E) Programs to enrich the quality of life, foster intellectual stimulation,  
2492 and promote cross-cultural understanding and appreciation of local history in all neighborhoods  
2493 of the District;

2494                   “(F) Programs that uses artistic expression to develop character and  
2495 leadership, and helps to prepare at-risk African American boys and young men to have a positive  
2496 impact on their communities;

2497                   “(G) Programs that provide an extended day program for kindergartners  
2498 through 5<sup>th</sup> graders and provide afterschool academic enrichment that supports the daytime  
2499 instruction through alternative learning methods and activities and homework assistance;

2500                   “(H) Programs that provide low-income children individualized reading  
2501 instruction in order to improve their literacy;

2502                   “(I) Rehabilitation programs that serve female youth ages 9 through 17  
2503 involved in the juvenile justice system and provide individual and group counseling, therapeutic  
2504 recreation, job training, mentoring, and community services opportunities;

2505                           “(J) Programs that offer anger management, conflict resolution, teamwork,  
2506   good sportsmanship, and other life skills while helping youth stay occupied in productive  
2507   activities, such as basketball or other sports;

2508                           “(K) Programs that develop and foster the creative talents of youth  
2509   through performing and visual arts while teaching them discipline, commitment, and team  
2510   motivation; and

2511                           “(L) Programs that offer music instruction and performance, tutoring, life  
2512   skills, summer arts, and culture to youth from ages of 9 through 18 years of age.”.

2513                   **SUBTITLE J. REPRODUCTIVE HEALTH NON-DISCRIMINATION**

2514   **CLARIFICATION**

2515           Sec. 5091. Short title.

2516           This subtitle may be cited as the “Reproductive Health Non-Discrimination Clarification  
2517   Amendment Act of 2015”.

2518           Sec. 5092. Section 105(a) of the Human Rights Act of 1977, effective July 17, 1985  
2519   (D.C. Law 6-8; D.C. Official Code § 2-1401.05(a)), is amended by adding a new sentence at the  
2520   end to read as follows:

2521           “This act shall not be construed to require an employer to provide insurance coverage  
2522   related to a reproductive health decision.”

2523                   **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

2524                   **SUBTITLE A. PARKING AMENDMENT**

2525           Sec. 6001. Short title.



2526 This subtitle may be cited as the “Parking Amendment Act of 2015”.

2527 Sec. 6002. The Performance Parking Pilot Zone Act of 2008, effective November 25,  
2528 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

2529 (a) Section 2(e)(2) is amended by striking the phrase “once per month” and inserting the  
2530 phrase “once per month; provided, that the Mayor may increase fees in performance parking  
2531 zones by a maximum of \$1.50 in a 3-month period, in any increment or time period therein, up to  
2532 a maximum hourly rate of \$8.00 per hour” in its place.

2533 (b) A new section 3b is added to read as follows:

2534 “Sec. 3b. Penn Quarter/Chinatown Performance Parking Pilot Zone

2535 “(a) The Penn Quarter/Chinatown Performance Parking Pilot Zone is designated as the  
2536 area bounded by H Street, N.W., on the north, 11th Street, N.W., on the west, 3rd Street, N.W.,  
2537 on the east, and E Street, N.W., on the south, including both sides of these boundary streets.

2538 “(b) In addition to maintaining a sufficient number of parking control officers and traffic  
2539 control officers in the existing performance parking pilot zones, the Mayor shall assign parking  
2540 control and traffic control officers for implementation of the pilot program in the Penn  
2541 Quarter/Chinatown Performance Parking Pilot Zone and for enhanced enforcement during peak-  
2542 parking-demand hours.

2543 “(c) The Mayor shall set the initial performance parking pilot zone fee equal to the  
2544 existing parking meter fee in that zone.

2545 “(d) Pursuant to section 2(d)(1), the Mayor shall adjust curbside parking fees to achieve  
2546 10% to 20% availability of curbside parking spaces.

2547 “(e) Within the first 30 days of the implementation of the Penn Quarter/Chinatown  
 2548 Performance Parking Pilot Zone, the Mayor may issue warning citations for curbside parking  
 2549 violations related to the pilot program in the zone.”.

2550 Sec. 6003. Section 2601.1 of Title 24 of the District of Columbia Municipal Regulations  
 2551 (24 DCMR § 2601.1) is amended as follows:

2552 (a) Under the header “Meter Infractions”, strike the rows

Illegally parked at [§ 2404.8, § 2424.12]	\$25.00	\$25.00	\$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	\$25.00	\$25.00	\$50.00
Overtime at [§ 2404.3, § 2424.12]	\$25.00	\$25.00	\$50.00

2553 and insert the following rows in their place:

Illegally parked at [§ 2404.8, § 2424.12]	\$30.00	\$30.00	\$50.00
Failure to deposit payment [§ 2404.6, § 2424.12]	\$30.00	\$30.00	\$50.00
Overtime at [§ 2404.3, § 2424.12]	\$30.00	\$30.00	\$50.00

2554

2555 (b) Under the header “Residential Parking Permit”, strike the row

Residential permit parking area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	In the calendar year: First offense \$30, Second offense \$30, Third and any subsequent offense \$60	In the calendar year: First offense \$30, Second offense \$30, Third and any subsequent offense \$60	In the calendar year: First offense \$60, Second offense \$60, Third and any subsequent offense \$60
--	--	--	--

2556

2557 and insert the following row in its place:

Residential permit parking	In the calendar	In the calendar year:	In the calendar
----------------------------	-----------------	-----------------------	-----------------

area, beyond consecutive two hour period without valid permit [§ 2411.1, § 2424.12]	year: First offense \$35, Second offense \$35, Third and any subsequent offense \$65	First offense \$35, Second offense \$35, Third and any subsequent offense \$65	year: First offense \$60, Second offense \$60, Third and any subsequent offense \$60
---	--	--	--

2558

2559           Sec. 6004. As of October 1, 2015, the District Department of Transportation shall provide  
2560 for enforcement of parking meters in Premium Demand Zones from 7:00 a.m. until 12:00 a.m.

2561           **SUBTITLE B. UNLAWFULLY PARKED VEHICLES AMENDMENT**

2562           Sec. 6011. Short title.

2563           This subtitle may be cited as the “Unlawfully Parked Vehicles Amendment Act of 2015”.

2564           Sec. 6012. The Removal and Disposition of Abandoned and Other Unlawfully Parked  
2565 Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code  
2566 § 50-2421.01 *et seq.*), is amended as follows:

2567           (a) Section 3 (D.C. Official Code § 50-2421.03) is amended as follows:

2568                   (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a  
2569 semicolon in its place.

2570                   (2) Paragraph (3)(B) is amended by striking the period and inserting the phrase “;  
2571 or” in its place.

2572                   (3) A new paragraph (4) is added to read as follows:

2573                   “(4) A vehicle in violation of posted parking restrictions at a parking facility, as  
2574 that term is defined in section 2(4) of the District of Columbia Motor Vehicle Parking Facility

2575 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(4)), owned  
2576 by the Washington Metropolitan Area Transit Authority.”.

2577 (b) The lead-in language of section 5 (D.C. Official Code § 50-2421.05) is amended by  
2578 striking the phrase “in violation of section 3(2) or (3)” and inserting the phrase “in violation of  
2579 section 3(2), (3), or (4)” in its place.

2580 **SUBTITLE C. DDOT STREETCAR FARE VIOLATION ENFORCEMENT**

2581 Sec. 6021. Short title.

2582 This subtitle may be cited as the “District Department of Transportation DC Streetcar  
2583 Fare Violation Enforcement Amendment Act of 2015”.

2584 Sec. 6022. Section 11n of the Department of Transportation Establishment Act of 2002,  
2585 effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.72), is amended as  
2586 follows:

2587 (a) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in  
2588 its place.

2589 (b) Paragraph (2) is amended by striking the period and inserting the phrase “; and” in its  
2590 place.

2591 (c) A new paragraph (3) is added to read as follows:

2592 “(3) Concurrent with any other agency’s authority to do so, enforce violations of  
2593 this title and regulations promulgated thereunder, with respect to fare payment.”.

2594 **SUBTITLE D. VISION ZERO PEDESTRIAN AND BICYCLE SAFETY FUND**

2595 Sec. 6031. Short title.

2596           This subtitle may be cited as the “Vision Zero Pedestrian and Bicycle Safety Fund  
2597 Establishment Amendment Act of 2015”.

2598           Sec. 6032. Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008, effective  
2599 August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131), is repealed.

2600           Sec. 6033. The Department of Transportation Establishment Act of 2002, effective May  
2601 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

2602           (a) A new section 9l is added to read as follows:

2603           “Sec. 9l. Vision Zero Pedestrian and Bicycle Safety Fund.

2604           “(a) There is established as a special fund the Vision Zero Pedestrian and Bicycle Safety  
2605 Fund (“Fund”), which shall be administered by the Director of DDOT in accordance with  
2606 subsection (c) of this section.

2607           “(b) There shall be deposited in the Fund \$500,000 per fiscal year from the fines  
2608 generated from the automated traffic enforcement system, authorized by section 901 of the Fiscal  
2609 Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official  
2610 Code § 50-2209.01).

2611           “(c) The Fund shall be used solely to enhance the safety and quality of pedestrian and  
2612 bicycle transportation, including education, engineering, and enforcement efforts designed to  
2613 calm traffic and provide safe routes.

2614           “(c)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2615 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2616 year, or at any other time.

2617                   “(2) Subject to authorization in an approved budget and fiscal plan, any funds  
2618 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2619                   (b) Section 11j(a) (D.C. Official Code § 50-921.53(a)) is amended by striking the phrase  
2620 “the Pedestrian and Bicycle Safety Enhancement Fund, established by section 6021 of the  
2621 Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008, effective  
2622 August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.131)” and inserting the phrase  
2623 “the Vision Zero Pedestrian and Bicycle Safety Fund, established by section 9I” in its place.

2624                   **SUBTITLE E. SUSTAINABLE ENERGY TRUST FUND AMENDMENT**

2625                   Sec. 6041. Short title.

2626                   This subtitle may be cited as the “Sustainable Energy Trust Fund Amendment Act of  
2627 2015”.

2628                   Sec. 6042. Section 210(c) of the Clean and Affordable Energy Act of 2008, effective  
2629 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)), is amended as follows:

2630                   (a) Paragraph (8) is amended by striking the phrase “; and” and inserting a semicolon in  
2631 its place.

2632                   (b) Paragraph (9) is amended by striking the period and inserting the phrase “; and” in its  
2633 place.

2634                   (c) A new paragraph (10) is added to read as follows:

2635                   “(10) The Low Income Home Energy Assistance Program, in the amount of no  
2636 more than \$1.5 million in Fiscal Year 2016.”.

**SUBTITLE F. ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND**

**CLARIFICATION**

Sec. 6051. Short title.

This subtitle may be cited as the “Anacostia River Clean Up and Protection Fund Amendment Act of 2015”.

Sec. 6052. Section 6(b) of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.05(b)), is amended by striking the phrase “Funds shall be used for the following projects in the following order of priority:” and inserting the phrase “Funds shall be used for the following projects:” in its place.

**SUBTITLE G. BENCHMARKING ENFORCEMENT FUND**

Sec. 6061. Short title.

This subtitle may be cited as the “Benchmarking Enforcement Fund Establishment Amendment Act of 2015”.

Sec. 6062. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended by adding a new section 8a to read as follows:

“Sec. 8a. Benchmarking Enforcement Fund.

“(a) There is established as a special fund the Benchmarking Enforcement Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

“(b) Penalties collected pursuant to section 4(c)(2)(D) shall be deposited in the Fund.

2658           “(c) Money in the Fund shall be used to support and improve the administration and  
2659 practices of the benchmarking program established by this act.

2660           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2661 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2662 year, or at any other time.

2663           “(2) Subject to authorization in an approved budget and fiscal plan, any funds  
2664 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2665           **SUBTITLE H. BICYCLE AND PEDESTRIAN ADVISORY COUNCIL TERM**  
2666 **CLARIFICATION**

2667           Sec. 6071. Short title.

2668           This subtitle may be cited as the “Bicycle and Pedestrian Advisory Council Term  
2669 Clarification Amendment Act of 2015”.

2670           Sec. 6072. Section 5(c) of the District of Columbia Comprehensive Bicycle  
2671 Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official  
2672 Code § 50-1604(c)), is amended as follows:

2673           (a) Designate the existing text as paragraph (1).

2674           (b) A new paragraph (2) is added to read as follows:

2675           “(2) Vacancies shall be filled in the same manner as the original appointment to  
2676 the position that became vacant. Community members who are appointed to fill vacancies that  
2677 occur before the expiration of a community member’s full term shall serve only the unexpired  
2678 portion of the community member’s term.”.



Sec. 6073. Section 6061(d) of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 50-1931(d)), is amended as follows:

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

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

“(2) Vacancies shall be filled in the same manner as the original appointment to the position that became vacant. Community members who are appointed to fill vacancies that occur before the expiration of a community member’s full term shall serve only the unexpired portion of the community member’s term.”.

#### **SUBTITLE I. BID PARKING ABATEMENT FUND**

Sec. 6081. Short title.

This subtitle may be cited as the “BID Parking Abatement Fund Act of 2015”.

Sec. 6082. BID Parking Abatement Fund.

(a) There is established as a special fund the BID Parking Abatement Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

(b) An allocation in the amount of \$120,000 from the Fiscal Year 2016 approved budget and financial plan shall be deposited in the Fund.

(c) Money in the Fund shall be used to abate parking fees for a Business Improvement District (“BID”), as that term is defined in section 3(7) of the Business Improvements Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)), that applies and is approved to reserve a public parking space within the BID for use by pedestrians;

2700 provided, that no more than 70% of the money available in a fiscal year shall be distributed to a  
2701 single BID.

2702 (d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2703 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2704 year, or at any other time.

2705 (2) Subject to authorization in an approved budget and fiscal plan, any funds  
2706 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2707 **SUBTITLE J. CLEAN AND AFFORDABLE ENERGY ACT AMENDMENT**

2708 Sec. 6091. Short title.

2709 This subtitle may be cited as the “Clean and Affordable Energy Amendment Act of  
2710 2015”.

2711 Sec. 6092. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
2712 (D.C. Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*), is amended as follows:

2713 (a) Section 201(d) (D.C. Official Code § 8-1774.01(d)) is amended to read as follows:

2714 “(d) The SEU contract shall:

2715 “(1) Provide minimum performance benchmarks consistent with the purposes of  
2716 this act, including:

2717 “(A) Reducing energy consumption in the District;

2718 “(B) Increasing renewable energy generating capacity in the District;

2719                   “(C) Increasing the energy efficiency and renewable energy generating  
2720 capacity of low-income housing, shelters, clinics, or other buildings serving low-income  
2721 residents in the District; and

2722                   “(D) Increasing the number of green-collar jobs in the District of  
2723 Columbia; and

2724                   “(2) Require the SEU to track and report to DDOE, at least semiannually, on the  
2725 reduction of the growth in peak electricity demand and the reduction in the growth of energy  
2726 demand of the District’s largest energy users due to SEU programs.”.

2727                   (b) Section 202 (D.C. Official Code § 8-1774.02) is amended as follows:

2728                   (1) Subsection (d) is amended by striking the phrase “on an annual and contract-  
2729 term basis.” and inserting the phrase “on a contract-term basis.” in its place.

2730                   (2) Subsection (h) is amended by striking the phrase “75%, and no greater than  
2731 125%, of the amount” and inserting the phrase “75% of the amount” in its place.

2732                   (3) Subsection (i) is amended by striking the phrase “75%, and no greater than  
2733 125%, of the amount” and inserting the phrase “75% of the amount” in its place.

2734                   (c) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows:

2735                   (1) Subsection (c) is amended to read as follows:

2736                   “(c) At least biennially, the Board shall recommend changes to the performance  
2737 benchmarks of the SEU contract to DDOE.”.

2738                   (2) Subsection (d) is repealed.

2739                   (d) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows:

2740 (1) Subsection (b) is amended to read as follows:

2741 “(b) At least 90 days before issuing a new RFP for the SEU contract, DDOE shall solicit  
2742 recommendations from the Board and the public for performance benchmarks for the contract. In  
2743 preparing the RFP, DDOE shall hold an industry day to solicit the advice and input of private  
2744 entities that may bid on the contract.

2745 (2) Subsection (c) is repealed.

2746 (3) Subsection (j) is amended by striking the number “30” and inserting the  
2747 number “90” in its place.

2748 (e) Section 210(c)(2) (D.C. Official Code § 8-1774.10(c)(2)) is amended by striking the  
2749 phrase “administration of the SEU contract by DDOE” and inserting the phrase “administration  
2750 of the SEU contract and the development of a comprehensive energy plan by DDOE” in its  
2751 place.

2752 **SUBTITLE K. COMPETITIVE GRANTS**

2753 Sec. 6101. Short title.

2754 This subtitle may be cited as the “Competitive Grants Act of 2015”.

2755 Sec. 6102. In Fiscal Year 2016, the District Department of the Environment shall award a  
2756 grant, on a competitive basis, in an amount not to exceed \$250,000, for a study to evaluate the  
2757 cost and benefits and feasibility of establishing a municipally owned public electric utility in the  
2758 District.

2759 Sec. 6103. In Fiscal Year 2016, the Office on Aging shall award a grant, on a competitive  
2760 basis, in an amount not to exceed \$100,000, to one or more nonprofit organizations to conduct a

2761 feasibility study and outline a plan for developing virtual senior wellness centers in Wards that  
2762 do not have senior wellness centers, using existing and future capital investments in schools,  
2763 recreation centers, libraries, and other facilities in those Wards.

2764         Sec. 6104. In Fiscal Year 2016, the District Department of Transportation shall award a  
2765 grant, on a competitive basis, in an amount not to exceed \$35,000, to conduct a feasibility study  
2766 for an aerial transportation option connecting Georgetown in the District to Rosslyn in Virginia.

2767         Sec. 6105. In Fiscal Year 2016, the District of Columbia Taxicab Commission shall  
2768 award a grant, on a competitive basis, in an amount not to exceed \$100,000, to conduct a study to  
2769 determine the demand for wheelchair-accessible service within the vehicle-for-hire industry in  
2770 the District and recommend the number or percentage of accessible vehicles within the vehicle-  
2771 for-hire industry that would adequately meet the demand for wheelchair accessible service.

2772         **SUBTITLE L. CONGESTION MANAGEMENT STUDY**

2773         Sec. 6111. Short title.

2774         This subtitle may be cited as the “Congestion Management Study Amendment Act of  
2775 2015”.

2776         Sec. 6112. The Department of Transportation Establishment Act of 2002, effective May  
2777 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a  
2778 new section 9m to read as follows:

2779         “Sec. 9m. Congestion management study.

2780         “No later than September 30, 2016, the Department shall make publicly available a  
2781 congestion management study that includes at a minimum:

2782                   “(1) An assessment of the current state of congestion in the District;  
2783                   “(2) A collection of data, using objective criteria, that demonstrates the average  
2784 commute times for District residents based on each of the following modes of transportation:  
2785                   “(A) Walking;  
2786                   “(B) Bicycling;  
2787                   “(C) By bus; and  
2788                   “(D) By driving a personal car;  
2789                   “(3) Recommendations for remedying existing congestion problems in the  
2790 District; and  
2791                   “(4) One-year, 3-year, and 5-year plans for implementing the recommendations  
2792 required by paragraph (3) of this section.”.

2793                   **SUBTITLE M. ELECTRONIC DELIVERY OF NOTICE TO THE COUNCIL**  
2794 **AND ADVISORY NEIGHBORHOOD COMMISSIONS**

2795                   Sec. 6121. Short title.

2796                   This subtitle may be cited as the “Electronic Delivery to the Council and Advisory  
2797 Neighborhood Commissions Amendment Act of 2015”.

2798                   Sec. 6122. Section 301(5)(B)(iv) of the District of Columbia Administrative Procedure  
2799 Act, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-551(5)(B)(iv)), is  
2800 amended as follows:

2801                   (a) Strike the phrase “30-days written notice” and insert the phrase “30-days notice via  
2802 electronic delivery” in its place.

2803 (b) Strike the period and insert the phrase “; provided, that the Council and the affected  
2804 ANC may elect to receive written notice by means other than electronic delivery by notifying the  
2805 Mayor of that preference.” in its place.

2806 **SUBTITLE N. GREEN INFRASTRUCTURE SPECIAL PURPOSE FUNDS**

2807 Sec. 6131. Short title.

2808 This subtitle may be cited as the “Green Infrastructure Special Purpose Revenue Funds  
2809 Establishment Amendment Act of 2015”.

2810 Sec. 6132. The Department of Transportation Establishment Act of 2002, effective May  
2811 21, 2002 (D.C. Law 14–137; D.C. Official Code § 50–921.01 *et seq.*), is amended by adding a  
2812 new section 9n to read as follows:

2813 “Sec. 9n. DDOT Stormwater Retention Credit Fund.

2814 “(a) There is established as a special fund the DDOT Stormwater Retention Credit Fund  
2815 (“Fund”), which shall be administered by the Director in accordance with subsection (c) of this  
2816 section.

2817 “(b) Revenue from the following sources shall be deposited in the Fund:

2818 “(1) Revenue received directly from the sale of a Stormwater Retention Credit  
2819 (“SRC”) by the Director;

2820 “(2) Revenue received through lease of District property or public space by the  
2821 Department for the purpose of generating or selling a SRC;

2822                   “(3) Revenue received through the lease of a stormwater best management  
2823 practice on District property or public space by the Department for the purpose of generating or  
2824 selling a SRC;

2825                   “(4) Revenue received from a third-party intermediary in exchange for giving the  
2826 third-party intermediary the authority to sell, or broker the sale of, a SRC generated on District  
2827 property or public space under the control of the Department; and

2828                   “(5) Revenue received by the Department pursuant to a contract for the  
2829 installation and maintenance of a stormwater best management practice on property or public  
2830 space under the control of the Department.

2831                   “(c)(1) Money in the Fund shall be used for the following purposes:

2832                               “(A) To fulfill or exceed the District’s obligations pursuant to the MS4  
2833 Permit; and

2834                               “(B) To install, operate, and maintain stormwater retention projects  
2835 regulated by the District’s MS4 Permit.

2836                   “(2) The Director may sell a SRC generated on District property or public space  
2837 under the control of the Department, upon the certification of the SRC by the District  
2838 Department of the Environment.

2839                   “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2840 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2841 year, or at any other time.



2842                   “(2) Subject to authorization in an approved budget and financial plan, any funds  
2843 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2844                   “(e) The Director shall publish on the Department’s website, at least annually, a report  
2845 describing how money in the Fund has been spent, including the following information:

2846                   “(1) The total amount of SRC payments deposited in the Fund to date;

2847                   “(2) The total amount of money spent from the Fund to date;

2848                   “(3) For each sub-drainage area or watershed, the aggregate values of SRC  
2849 purchased per year; and

2850                   “(4) For each of the stormwater best management practices installed using money  
2851 from the Fund, the type of stormwater best management practice used by the facility, the number  
2852 of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the  
2853 facility, and a summary of the capital and maintenance costs of the project.

2854                   “(f) For the purposes of this section, the term:

2855                   “(1) “MS4 Permit” shall have the same meaning as provided in section 101(15) of  
2856 the District Department of the Environment Establishment Act of 2005, effective February 15,  
2857 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

2858                   “(2) “Stormwater best management practice” shall have the same meaning as  
2859 provided in section 101(14) of the District Department of the Environment Establishment Act of  
2860 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

2861                   “(3) “Stormwater Retention Credit” shall have the same meaning as provided in  
2862 21 DCMR § 599.”.

2863           Sec. 6133. The Department of General Services Establishment Act of 2011, effective  
2864   September 14, 2011 (D.C. Law 19–21; D.C. Official Code § 10–551.01 *et seq.*), is amended by  
2865   adding a new section 1028b to read as follows:

2866           “Sec. 1028b. Establishment of the Department of General Services Stormwater Retention  
2867   Credit Fund.

2868           “(a) There is established as a special fund the Department of General Services  
2869   Stormwater Retention Credit Fund (“Fund”), which shall be administered by the Director in  
2870   accordance with subsections (c) of this section.

2871           “(b) Revenue from the following sources shall be deposited in the Fund:

2872                   “(1) Revenue received directly from the sale of a Stormwater Retention Credit  
2873   (“SRC”) by the Director;

2874                   “(2) Revenue received through lease of District property by the Department for  
2875   the purpose of generating or selling a SRC;

2876                   “(3) Revenue received through the lease of a stormwater best management  
2877   practice on District property by the Department for the purpose of generating or selling a SRC;

2878                   “(4) Revenue received from a third party intermediary for the authority to sell, or  
2879   broker the sale of, a SRC generated on District property under the control of the Department; and

2880                   “(5) Revenue received by the Department pursuant to a contract for the  
2881   installation and maintenance of a stormwater best management practice on property or public  
2882   space under the control of the Department.

2883           “(c)(1) Money in the Fund shall be used for the following purposes:

2884                           “(A) To fulfill or exceed the District’s obligations pursuant to the MS4  
2885 Permit; and

2886                           “(B) To install, operate, and maintain stormwater retention projects  
2887 regulated by the District’s MS4 Permit.

2888                           “(2) The Director may sell a SRC generated on District property under the control  
2889 of the Department, upon the certification of the SRC by the District Department of the  
2890 Environment.

2891                           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2892 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2893 year, or at any other time.

2894                           “(2) Subject to authorization in an approved budget and financial plan, any funds  
2895 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2896                           “(e) The Director shall publish on the Department’s website, at least annually, a report  
2897 describing how money in the Fund has been spent, including the following information:

2898                           “(1) The total amount of SRC payments deposited in the Fund to date;

2899                           “(2) The total amount of money spent from the Fund to date;

2900                           “(3) For each sub-drainage area or watershed, the aggregate values of SRC  
2901 purchased per year; and

2902                           “(4) For each of the stormwater best management practices installed using money  
2903 from the Fund, the type of stormwater best management practice used by the facility, the number

2904 of gallons of stormwater retained by the facility, the sub-drainage or watershed location of the  
2905 facility, and a summary of the capital and maintenance costs of the project.

2906 “(f) For the purposes of this section, the term:

2907 “(1) “MS4 Permit” shall have the same meaning as provided in section 101(15) of  
2908 the District Department of the Environment Establishment Act of 2005, effective February 15,  
2909 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(15)).

2910 “(2) “Stormwater best management practice” shall have the same meaning as  
2911 provided in section 101(14) of the District Department of the Environment Establishment Act of  
2912 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01(14)).

2913 “(3) “Stormwater Retention Credit” shall have the same meaning as provided in  
2914 21 DCMR § 599.”.

2915 **SUBTITLE O. PEPCO COST-SHARING FUND FOR DC PLUG**

2916 Sec. 6141. Short title.

2917 This subtitle may be cited as the “Pepco Cost-Sharing Fund for DC PLUG Establishment  
2918 Act of 2015”.

2919 Sec. 6142. Pepco Cost-Sharing Fund for DC PLUG.

2920 (a) There is established as a special fund the Pepco Cost-Sharing Fund for DC PLUG  
2921 (“Fund”), which shall be administered by the Director of the District Department of  
2922 Transportation in accordance with subsection (c) of this section.

2923 (b) The Fund shall consist of transfers from the Potomac Electric Power Company to  
2924 facilitate cost-sharing for the District of Columbia Power Line Undergrounding (“DC PLUG”)  
2925 initiative.

2926 (c) The Fund shall be used to pay for any purpose authorized by the Electric Company  
2927 Infrastructure Improvement Financing Act of 2014, effective May 3, 2014 (D.C. Law 20-102;  
2928 D.C. Official Code § 34-1311.01 *et seq.*), for the DC PLUG initiative.

2929 (d) The money deposited into the Fund, and interest earned, shall not revert to the  
2930 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2931 year, or at any other time.

2932 **SUBTITLE P. PUBLIC SPACE RENTAL FEE WAIVER**

2933 Sec. 6151. Short title.

2934 This subtitle may be cited as the “Public Space Rental Fee Waiver Amendment Act of  
2935 2015”.

2936 Sec. 6152. The District of Columbia Public Space Rental Act, approved October 17, 1968  
2937 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended by adding a new section  
2938 202a to read as follows:

2939 “Sec. 202a. Fee waiver.

2940 “(a) The annual rent for use of public space, established pursuant to section 202, shall be  
2941 waived for the use of land between Lot 16, Square 3832 and Lot 47, Square 3831.

2942 “(b) Beginning October 1, 2015, and on an annual basis thereafter, the Chief Financial  
2943 Officer shall deposit \$83,000 of local funds into the Local Transportation Fund established under

2944 section 102a of the Highway Trust Fund Establishment Act and the Water and Sewer Authority  
2945 Amendment Act of 1996, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-  
2946 111.01a).”.

2947       Sec. 6153. Section 102a(a) of the Highway Trust Fund Establishment Act and the Water  
2948 and Sewer Authority Amendment Act of 1996, effective October 3, 2001 (D.C. Law 14-28; D.C.  
2949 Official Code § 9-111.01a(a)), is amended as follows:

2950       (a) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in  
2951 its place.

2952       (b) Paragraph (5) is amended by striking the phrase “District of Columbia.” and inserting  
2953 the phrase “District of Columbia; and” in its place.

2954       (c) A new paragraph (6) is added to read as follows:

2955       “(6) All money received from the Office of the Chief Financial Officer for the fee  
2956 waiver for the use of public space, pursuant to section 202a of the District of Columbia Public  
2957 Space Rental Act of 1968, approved by the Committee of the Whole May 27, 2015 (Committee  
2958 Print of Bill 21-158).”.

2959       **SUBTITLE Q. STREETCAR AUTHORIZATION**

2960       Sec. 6161. Short title.

2961       This subtitle may be cited as the “Streetcar Authorization Amendment Act of 2015”.

2962       Sec. 6162. Section 5 of the District Department of Transportation DC Streetcar  
2963 Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-

2964 921.71, note), is amended by striking the phrase “September 30, 2015.” and inserting the phrase  
2965 “September 30, 2016.” in its place.

2966 **SUBTITLE R. SUSTAINABLE FOOD SERVICE WARE CLARIFICATION**

2967 Sec. 6171. Short title.

2968 This subtitle may be cited as the “Sustainable Food Service Ware Clarification  
2969 Amendment Act of 2015”.

2970 Sec. 6172. The Sustainable DC Omnibus Amendment Act of 2014, effective December  
2971 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 *et seq.*), is amended as follows:

2972 (a) Section 401 (D.C. Official Code § 8-1531) is amended as follows:

2973 (1) Paragraph (1) is amended by striking the phrase “prepared by a food service  
2974 business” and inserting the phrase “prepared by a food service entity” in its place.

2975 (2) Paragraph (4) is amended as follows:

2976 (A) Strike the phrase ““Food service business” means” and insert the  
2977 phrase ““Food service entity” means” in its place.

2978 “(B) Strike the phrase “business or institutional cafeterias” and insert the  
2979 word “cafeterias” in its place.

2980 (ii) Strike the phrase “and other businesses” and insert the phrase “and  
2981 other entities” in its place.

2982 (3) A new paragraph (5) is added to read as follows:

2983 “(5) “Recyclable” means made solely of materials that are currently accepted for  
2984 recycling, as that term is used in section 101(14) of the Sustainable Solid Waste Management

2985 Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), by the  
2986 food service entity’s recycling collector.”.

2987 (b) Section 402 (D.C. Official Code § 8-1532) is amended as follows:

2988 (1) Subsection (a) is amended by striking the phrase “no food service business  
2989 shall” and inserting the phrase “no food service entity shall” in its place.

2990 (2) Subsection (b) is amended by striking the phrase “before a food service  
2991 business” and inserting the phrase “before a food service entity” in its place.

2992 (c) Section 403 (D.C. Official Code § 8-1533) is amended as follows:

2993 (1) Subsection (a) is amended by striking the phrase “shall use compostable or  
2994 recyclable disposable food service ware unless there is no suitable affordable or compostable or  
2995 recyclable product available as determined by the Mayor in accordance with this subtitle” and  
2996 inserting the phrase “shall use compostable or recyclable disposable food service ware” in its  
2997 place.

2998 (2) Subsection (b) is amended by striking the phrase “shall use compostable or  
2999 recyclable disposable food service ware unless there is no suitable affordable or compostable or  
3000 recyclable product available as determined by the Mayor in accordance with this subtitle” and  
3001 inserting the phrase “shall use compostable or recyclable disposable food service ware” in its  
3002 place.

3003 (3) Subsection (c) is amended as follows:

3004 (A) Strike the phrase “no food service business shall sell” and insert the  
3005 phrase “no food service entity shall sell” in its place.



3006 (B) Strike the phrase “before a food service business received them” and  
3007 insert the phrase “before a food service entity received them” in its place.

3008 (d) Section 404 (D.C. Official Code § 8-1534) is amended by striking the phrase  
3009 “vendors offering affordable compostable or recyclable disposable food service ware products”  
3010 and inserting the phrase “vendors offering compostable or recyclable disposable food service  
3011 ware products” in its place.

3012 (e) Section 405 (D.C. Official Code § 8-1535) is repealed.

3013 (f) Section 407 (D.C. Official Code § 8-1537) is amended by adding a new subsection (d)  
3014 to read as follows:

3015 “(d)(1) For the purpose of enforcing the provisions of this subtitle, or any rule issued  
3016 pursuant to subsection (a) of this section, the Mayor may, upon the presentation of appropriate  
3017 credentials to the owner, operator, or agent in charge, enter upon any public or private land in a  
3018 reasonable and lawful manner during normal business hours for the purpose of sampling,  
3019 inspection, and observation.

3020 “(2) If denied access to any place while carrying out the activities described in  
3021 paragraph (1) of this subsection, the Mayor may apply to a court of competent jurisdiction for a  
3022 search warrant.”.

3023 (g) Section 502(g) (D.C. Official Code § 8-1533, note) is amended to read as follows:

3024 “(g) Title IV, Subtitle A, sections 403 and 404 shall apply as of the effective date of the  
3025 Sustainable Food Service Ware Clarification Amendment Act of 2015, as approved by the  
3026 Committee of the Whole on May 27, 2015 (Committee print of B21-158).”.

**SUBTITLE S. URBAN FARMING AND FOOD SECURITY**

Sec. 6181. This subtitle may be cited as the “Urban Farming and Food Security Amendment Act of 2015”.

Sec. 6182. The Food Production and Urban Gardens Program Act of 1986, effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 et seq.), is amended as follows:

(a) Section 2 (D.C. Official Code § 48-401) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “group consumption, donation, or fundraising that is incidental in nature” and inserting the phrase “group consumption or donation, but not for commercial purposes,” in its place.

(2) Paragraph (5) is amended by striking the phrase “including for profit, not for profit, and for educational purposes” and inserting the phrase “primarily for commercial purposes” in its place.

(3) Paragraph (6) is amended by striking the phrase “including for profit, not for profit, and for educational purposes” and inserting the phrase “for commercial purposes” in its place.

(b) Section 3 (D.C. Official Code § 48-402) is amended as follows:

(1) Paragraph (1) is repealed.

(2) Paragraph (6) is amended by striking the phrase “the availability of public and private vacant lots” and inserting the phrase “the availability of vacant lots” in its place.

(c) Section 3a (to be codified at D.C. Official Code § 48-402.01) is repealed.

3048           Sec. 6183. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as  
3049 follows:

3050           (a) Section 47-813(c-8)(2)(B) is amended by striking the phrase “designated as  
3051 residential shall” and inserting the phrase “designated as residential or used as a community  
3052 garden, as that term is defined in section § 48-401(1), shall” in its place.

3053           (b) Section 47-868 is amended as follows:

3054                   (1) Subsection (b)(2) is amended to read as follows:

3055                           “(2) At least 2,500 square feet of land, which may be comprised of one or more  
3056 abutting lots, shall be under active use and cultivation during the growing season of either the  
3057 food commodity produced or other season-appropriate agricultural-related use on the land; and”.

3058                   (2) A new subsection (b-1) is added to read as follows:

3059                           “(b-1) The total of the abatements permitted to all taxpayers under this section shall not  
3060 exceed an annual limit of \$150,000. If necessary to avoid exceeding this annual limit, the Mayor  
3061 may allocate reductions in the abatement among taxpayers.”.

3062                   (3) Subsection (e) is amended as follows:

3063                           (A) Paragraph (1) is amended by striking the phrase “, or use as a  
3064 community garden, as defined in § 48-401(1); and” and inserting the phrase “; and” in its place.

3065                           (B) Paragraph (2) is amended by striking the phrase “, or by a community  
3066 garden, as defined in § 48-401(1), that are intended” and inserting the phrase “, that are  
3067 intended” in its place.

3068           Sec. 6184. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as

3069 follows:

3070 (a) The table of contents is amended as follows:

3071 (1) Strike the phrase “47-1806.14. Tax on residents and nonresidents – Credits –  
3072 Tax credit for farm to food donations.” and insert the phrase “47-1806.14 [Repealed].” in its  
3073 place.

3074 (2) Strike the phrase “47-1807.12. Tax on corporations and financial institutions –  
3075 Credits – Tax credit for farm to food donations.” and insert the phrase “47-1807.12 [Repealed].”  
3076 in its place.

3077 (3) Strike the phrase “47-1808.12. Tax on unincorporated businesses – Credits –  
3078 Tax credit for farm to food donations.” and insert the phrase “47-1808.12. [Repealed].” in its  
3079 place.

3080 (b) Section 47-1806.14 is repealed.

3081 (c) Section 47-1807.12 is repealed.

3082 (d) Section 47-1808.12 is repealed.

3083 Sec. 6225. Section 302 of the Urban Farming and Food Security Amendment Act of  
3084 2014, effective April 30, 2015 (D.C. Law 20-248; 62 DCR 1504), is amended to read as follows:

3085 “Sec. 302. Applicability.

3086 “Section 201(a) of this act shall apply to tax years beginning after September 30, 2015.”.

3087 **SUBTITLE T. KIDS RIDE FREE METRORAIL BENEFIT**

3088 Sec. 6191. Short title.

3089 This subtitle may be cited as the “Kids Ride Free Metrorail Benefit Amendment Act of

3090 2015”.

3091           Sec. 6192. Section 2 of the School Transit Subsidy Act of 1978, effective March 3, 1979  
3092 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended by adding a new subsection (g) to  
3093 read as follows:

3094           “(g)(1) Subject to available funds, the Mayor may establish a program for students to  
3095 receive subsidies for the Metrorail Transit System.

3096                       “(2) To be eligible for the program, a student shall be:

3097                               “(A) Enrolled in the 12<sup>th</sup> grade or lower in a District of Columbia  
3098 Public School or District of Columbia Public Charter school; and

3099                               “(B) Eligible for free or reduced-cost lunch in his or her school.

3100                       “(3) The Mayor shall require each student, student’s parent or guardian, or  
3101 student’s school counselor, to file an application to participate in for the program.

3102                       “(4) The subsidy benefit shall be distributed by fare card or similar  
3103 medium acceptable to the Washington Area Metropolitan Transit Authority.

3104                       “(5) For Fiscal Year 2016, the transit subsidy established by this section  
3105 shall be capped at \$100 per month per student. The Mayor may adjust the cap in subsequent  
3106 years by rulemaking.

3107                       “(6) For Fiscal Year 2016, the total appropriation available for the  
3108 program shall not exceed \$7 million.”.

3109           **TITLE VII. FINANCE AND REVENUE**

3110           **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

3111           Sec. 7001. Short title.

3112           This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2015”.

3113           Sec. 7002. Section 1014(c) of the Fiscal Year 2015 Budget Support Act of 2014,  
3114 effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is repealed.

3115           Sec. 7003. Section 3 of the Cottage Food Amendment Act of 2013 (D.C. Law 20-63; 60  
3116 DCR 16530), is amended to read as follows:

3117           “Sec. 3. Applicability.

3118           “This act shall apply as of October 1, 2015.”.

3119           Sec. 7004. Section 302(a) of the Fiscal Year 2015 Budget Support Act of 2014, effective  
3120 February 26, 2015 (D.C. Law 20-15; 61 DCR 9990), is repealed.

3121           Sec. 7005. Section 6 of the McMillan Residential Townhomes Parcel Disposition  
3122 Approval Resolution of 2014, approved December 2, 2014 (D.C. Res. 20-705; 62 DCR 1091), is  
3123 amended to read as follows:

3124           “Sec. 6. Applicability.

3125           “This resolution shall apply as of October 1, 2015.”.

3126           Sec. 7006. Section 9 of the Unemployed Anti-Discrimination Act of 2012, effective May  
3127 31, 2012 (D.C. Law 19-132; 59 DCR 2391), is amended to read as follows:

3128           “Sec. 9. Applicability.

3129           “This act shall apply as of October 1, 2015.”.

3130           Sec. 7007. Section 302(a) of the Public-Private Partnership Act of 2014, effective March  
3131 11, 2015 (D.C. Law 20-228; 62 DCR 4499), is amended to read as follows:

3132           “(a) This act shall apply as of October 1, 2015.”.

3133           **SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS**

3134           Sec. 7011. Short title.

3135           This subtitle may be cited as the “Prior Budget Act Amendment Act of 2015”.

3136           Sec. 7012. Sections 1041 through 1043 of the Fiscal Year 2005 Budget Support Act of  
3137 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441), are repealed.

3138           Sec. 7013. Section 47-361(14) of the District of Columbia Official Code is amended by  
3139 striking the phrase “another budget category.” and inserting the phrase “another budget category;  
3140 provided, that with respect to a capital reprogramming, the term “reprogramming” means a  
3141 cumulative adjustment to a project’s capital budget during a fiscal year of \$500,000 or more.”.

3142           Sec. 7014. Section 9009 of the Fiscal Year 2015 Budget Support Act of 2014, effective  
3143 February 26, 2015 (D.C. Law 20-155; 61 DCR 9990), is repealed.

3144           Sec. 7015. Section 7(c) of the Government Employer-Assisted Housing Amendment Act  
3145 of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2506(c)), is amended  
3146 to read as follows:

3147           “(c) This section shall not apply to a home purchase with a closing date of after March  
3148 30, 2015.”.

3149           Sec. 7016. (a) Section 47-362(f)(2) of the District of Columbia Official Code is amended by  
3150 striking the phrase “to the Capital Fund as Paygo” and inserting the phrase “equally among the

3151 Local Streets Ward-Based Capital Projects. For the purposes of this paragraph, the term Local  
3152 Streets Ward Based Capital Projects shall have the same meaning as provided in § 50-921.51(4)”  
3153 in its place.

3154 (b) Section 1203c(g)(2) of the District of Columbia Government Comprehensive Merit  
3155 Personnel Act of 1978, enacted on September 23, 2014 (D.C. Act 20-424; 61 DCR 9990), is  
3156 amended to read as follows:

3157 “(2) “Eligible employee” means a District government employee; provided, that  
3158 the term “eligible employee” does not include:

3159 “(A) A temporary employee appointed for less than 90 days; or

3160 “(B) An intermittent employee.”.

3161 (c) Section 28-3903(a)(17) of the District of Columbia Official Code is amended by  
3162 striking the phrase “§ 28-3905” and inserting the phrase “the Department of Consumer and  
3163 Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42;  
3164 D.C. Official Code § 2-1801.01 *et seq.*)” in its place.

3165 (d) Section 4(l) of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C.  
3166 Law 15-185; D.C. Official Code § 2-1217.73(l)), is amended by striking the phrase “within the  
3167 following area” and inserting the phrase “abutting the following line” in its place.

3168 (e) Section 1103(f)(4)(A) of the District of Columbia Government Comprehensive Merit  
3169 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1  
3170 611.03(f)(4)(A), is amended as follows:

3171 (1) The existing text is designated as sub-subparagraph (i).



3172 (2) A new sub-subparagraph (ii) is added read as follows:

3173 “(ii) For Fiscal Year 2015, and except as provided in subparagraph (B) of  
3174 this paragraph, no officer or member of the Fire and Emergency Medical Services Department who  
3175 is authorized to receive overtime compensation under this subsection may earn overtime in excess  
3176 of \$ 30,000 in a fiscal year.”.

3177 (f) Section 1053 of the Fiscal Year 2015 Budget Support Act of 2014, effective February  
3178 26, 2015 (D.C. Law 20-155; 62 DCR 3601), is repealed.

3179 (g) The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR  
3180 3601), is amended as follows:

3181 (1) A new section 4073a is added to read as follows:

3182 “Sec. 4073a. Child development facility requirements.

3183 “(a) If 50 % or more children in a licensed child development facility are eligible to  
3184 participate in the CACF Program, the facility shall participate in the program unless OSSE grants it  
3185 an exemption pursuant to subsection (b) of this section.

3186 “(b) To be eligible for an exemption, a child development facility must provide OSSE with a  
3187 written statement describing why participation in the CACF Program constitutes a hardship. OSSE  
3188 will determine whether good cause exists and provide notice to the child development facility that it  
3189 is excused from participating in the CACF Program for one year from the date of the notice. To the  
3190 extent possible, OSSE shall work with excused child development facilities to address barriers to  
3191 participating in the CACF Program.

3192 “(c) Subsection (b) of this section shall expire on September 30, 2016.”.

3193 (2) Section 4074(a) is amended as follows:

3194 (A) Paragraph (2) is amended by striking the word “and” at the end.

3195 (B) Paragraph (3) is amended by striking the period and inserting the phrase  
3196 “; and” in its place.

3197 (C) A new paragraph (4) is added to read as follows:

3198 "(4) Provide to the Mayor, the Council, and the Healthy Schools and Youth  
3199 Commission, no later than June 30 of each year, a report listing the names and locations of licensed  
3200 child development facilities with 50 % or more eligible children enrolled, whether the facility  
3201 participates in the CACF Program, and whether and why the facility was excused from  
3202 participation.”.

3203 (3) A new subsection 4077 is added to read as follows:

3204 “Sec. 4077. Applicability.

3205 “This subtitle shall apply as of October 1, 2015.”.

3206 (h) The District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat.  
3207 1156; D.C. Official Code § 10-1101.01 *et seq.*), is amended as follows:

3208 (1) Section 202(b) (D.C. Official Code § 10-1102.02(b)) is amended to read as  
3209 follows:

3210 “(b) Notwithstanding the requirements of subsection (a) of this section, the District shall not  
3211 charge a fee to an organization for occupying public space to operate a farmers market; provided,  
3212 that it participates in the Supplemental Nutritional Assistance Program and the Women, Infants  
3213 and Children Farmers Market Nutrition Program.”.

3214 (2) Section 303 (D.C. Official Code § 10-1103.02) is amended to read as follows:

3215 "Sec. 303. (a)(1) The Chief Financial Officer shall assess and collect rent and charges from  
3216 the owner or owners of abutting property for any vault located in the public space abutting such  
3217 property, unless such vault has been removed, filled, sealed, or otherwise rendered unusable in a  
3218 manner satisfactory to the Mayor.

3219 "(2) Bills and notices shall be deemed to be properly served when mailed via first  
3220 class mail to the abutting property owner's mailing address of record as maintained by the Chief  
3221 Assessor of the Office of Tax and Revenue.

3222 "(b)(1) Notwithstanding section 104 of the Condominium Act of 1976, effective March 29,  
3223 1977 (D.C. Law 1-89; D.C. Official Code § 42-1901.04), or any other provision of law that imposes  
3224 liability for vault rent that is contrary to this subsection, vault rent shall be assessed against a  
3225 responsible condominium unit owners' association.

3226 "(2) The responsible condominium unit owners' association shall be billed for vault  
3227 rent as a separate and distinct taxable entity with its own vault rent account, as designated by the  
3228 Chief Financial Officer, and, unless the context requires otherwise, for purposes of this title shall be  
3229 deemed to be the owner of the property abutting public space in which any vault is located.

3230 "(3) A notice of proposed land assessment relating to the vault rent account shall be  
3231 given to the responsible condominium unit owners' association by March 1st before the beginning  
3232 of the applicable vault rent year. Only the land values of comparable multi-family residential  
3233 properties shall only be used in determining land values for vault rent purposes of residential  
3234 condominiums.

3235                   "(4) The assessed value of the land derived for purposes of billing the vault rent may  
3236 be appealed as provided under D.C. Official Code § 47-825.01a(d), (e), and (g); except, that for the  
3237 purposes of this section any references in that section to an owner shall be deemed to be references  
3238 to a responsible condominium unit owners' association.

3239                   "(5) The Chief Financial Officer may correct or change any land assessment relating  
3240 to the vault rent account for which a responsible condominium unit owners' association is  
3241 responsible as under the circumstances and subject to the conditions in D.C. Official Code § 47-  
3242 825.01a(f); except, that the reference to:

3243                               "(A) Tax years shall be deemed to be a reference to vault rent years;

3244                               "(B) Owner shall be deemed to be a reference to a responsible condominium  
3245 unit owners' association; and

3246                               "(C) The owner's address of record shall be deemed to be a reference to the  
3247 responsible condominium unit owners' mailing address of record as maintained by the Chief  
3248 Assessor of the Office of Tax and Revenue.

3249                   "(c) Where vault rent is assessed against any owner other than a responsible condominium  
3250 owners' association, the Mayor may adjust any utilization factor or area of the vault level under the  
3251 circumstances, subject to the conditions in D.C. Official Code § 47-825.01a(f); except, that the  
3252 reference to tax years shall be deemed to be a reference to vault rent years .".

3253                   (i) Section 47-4304.01(3) of the District of Columbia Official Code is amended by striking  
3254 the phrase "3-year period" and inserting the phrase "4-year period" in its place.

3255 (j) The Retail Incentive Amendment Act of 2012, effective April 27, 2013 (D.C. Law 19-  
3256 288; 60 DCR 2325), is repealed.

3257 (k) Section 701 of the Raising Expectations for Education Outcomes Omnibus Act of 2012,  
3258 effective June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-757.01), is repealed.

3259 (l) The Water and Sewer Authority Establishment and Department of Public Works  
3260 Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-  
3261 2201.01 et seq.), is amended as follows:

3262 (a) Section 206g(d) is repealed.

3263 (b) Section 206h(e) is repealed.

3264 (m) The Senior Citizen Real Property Tax Relief Act of 2013, effective May 28, 2014 (D.C.  
3265 Law 20-105; 61 DCR 5897), is repealed.

3266 (n) Section 601(m) of the Board of Ethics and Government Accountability Establishment  
3267 and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law  
3268 19-124; D.C. Official Code § 1-1164.01(m)), is repealed.”.

3269 (o) Section 47-181 of the District of Columbia Official Code is amended as follows:

3270 (1) Subsection (a) is amended to read as follows:

3271 “(a) If local fiscal year 2016 recurring annual revenues included in the quarterly revenue  
3272 estimate issued in June or September 2015, both or either, exceed the annual revenue estimate  
3273 incorporated in the approved budget and financial plan for fiscal year 2016, the additional revenue  
3274 shall be used to implement the provisions set forth in the Tax Revision Commission Implementation  
3275 Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 62 DCR 3601) (“TRC

3276 Act”), according to the priority set forth in subsection (c) of this section, for taxable years beginning  
3277 or deaths occurring, as applicable, after December 31, 2015.”.

3278 (2) Subsection (b) is amended by striking the phrase “has been approved, any  
3279 recurring revenues in a quarterly revenue estimate” and inserting the phrase “has been approved by  
3280 the District, any recurring revenues in a February revenue estimate” in its place.

3281 (3) Subsection (c) is amended as follows:

3282 (A) Paragraph (7) is amended by striking the figure “\$6,650” and inserting  
3283 the figure “\$6,500” in its place.

3284 (B) Paragraph (13) is amended by striking the phrase “Raise estate” and  
3285 inserting the phrase “Raise the estate” in its place.

3286 (4) Subsection (d) is amended by striking the phrase “Except for those provisions of  
3287 the TRC Act that are funded in the approved budget and financial plan for Fiscal Year 2015, the  
3288 currently unfunded provisions of the TRC Act” and inserting the phrase “Unfunded provisions of  
3289 the TRC Act” in its place.

3290 (p) Section 47-1801.04(44) of the District of Columbia Official Code is amended to read as  
3291 follows:

3292 "(44) "Standard deduction" means:

3293 "(A) In the case of a return filed by a single individual or married individual  
3294 filing a separate return:

3295 "(i) For taxable years beginning before January 1, 2015, the amount  
3296 of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a

3297 multiple of \$50, rounded to the next lowest multiple of \$50) for a single individual and one-half of  
3298 the amount that may be taken by a single individual for a married individual filing a separate return;

3299 "(ii) For taxable years beginning after December 31, 2014, the  
3300 highest of:

3301 "(I) \$5,200 increased annually by the cost-of-living  
3302 adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest  
3303 multiple of \$50);

3304 "(II) Subject to availability of funding and in accordance with  
3305 § 47-181, \$5,650 increased annually by the cost-of-living adjustment (if the adjustment does not  
3306 result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

3307 "(III) Subject to availability of funding and in accordance  
3308 with § 47-181, the amount of the standard deduction as prescribed in section 63(c) of the Internal  
3309 Revenue Code of 1986;

3310 "(B) In the case of a return filed by a head of household:

3311 "(i) For taxable years beginning before January 1, 2015, the amount  
3312 of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a  
3313 multiple of \$50, rounded to the next lowest multiple of \$50);

3314 "(ii) For taxable years beginning after December 31, 2014, the  
3315 highest of:

3316 “(I) \$6,500 increased annually by the cost-of-living  
3317 adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest  
3318 multiple of \$50);

3319 “(II) Subject to availability of funding and in accordance with  
3320 § 47-181, \$7,800 increased annually by the cost-of-living adjustment (if the adjustment does not  
3321 result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

3322 "(III) Subject to availability of funding and in accordance  
3323 with § 47-181, the standard deduction as prescribed in section 63(c) of the Internal Revenue Code of  
3324 1986;

3325 "(C) In the case of a return filed by married individuals filing a joint return,  
3326 or a surviving spouse:

3327 "(i) For taxable years beginning before January 1, 2015, the amount  
3328 of \$4,000 increased annually by the cost-of-living adjustment (if the adjustment does not result in a  
3329 multiple of \$50, rounded to the next lowest multiple of \$50);

3330 "(ii) For taxable years beginning after December 31, 2014, the  
3331 highest of:

3332 “(I) \$8,350 increased annually by the cost-of-living  
3333 adjustment (if the adjustment does not result in a multiple of \$50, rounded to the next lowest  
3334 multiple of \$50);



3335                                   “(II) Subject to availability of funding and in accordance with  
3336 § 47-181, \$10,275 increased annually by the cost-of-living adjustment (if the adjustment does not  
3337 result in a multiple of \$50, rounded to the next lowest multiple of \$50); or

3338                                   “(III) The standard deduction as prescribed in section 63(c) of  
3339 the Internal Revenue Code of 1986; and

3340                                   “(D) In the case of an individual who is a resident, as defined in paragraph  
3341 (42) of this section, for less than a full 12-month taxable year, the amounts specified in  
3342 subparagraph (A), (B), or (C) of this paragraph prorated by the number of months that the individual  
3343 was a resident.”.

3344                   (q) Section 47-1803.02(a)(2)(N) of the District of Columbia Official Code is amended to  
3345 read as follows:

3346                                   “(N)(i) Pension, military retired pay, or annuity income received from the  
3347 District of Columbia or the federal government by persons who are 62 years of age or older by the  
3348 end of the taxable year, except that the exclusion shall not exceed the lesser of \$3,000 or the actual  
3349 amount of the pension, military retired pay, or annuity received during the taxable years; provided,  
3350 that the pension, military retired pay, or annuity is otherwise subject to taxation under this chapter;  
3351 provided further, that this sub-subparagraph shall apply for taxable years beginning before January  
3352 1, 2015.

3353                                   “(ii) Survivor benefits received from the District of Columbia or the federal  
3354 government by persons who are 62 years of age or older by the end of the taxable year.”.

3355                   (r) Section 47-1806.02 of the District of Columbia Official Code is amended as follows:

3356 (1) Subsection (c) is amended to read as follows:

3357 “(c) There shall be allowed an additional exemption for a taxpayer who qualifies as  
3358 a head of household; provided, that this subsection shall not apply for a tax year in which the  
3359 deduction amount for personal exemptions under subsection (i) of this section is \$2,200 or more.”.

3360 (2) Subsection (i)(2) is amended by striking the phrase “and subject to § 47-  
3361 1806.04(e)”.

3362 (3) Subsection (h-1) is amended by striking the phrase “The amount” and inserting  
3363 the phrase “For tax years beginning after December 31, 2014, the amount” in its place.

3364 (s) Section 47-1806.04(f)(1)(B) of the District of Columbia Official Code is amended by  
3365 striking the phrase “40% of the earned income tax credit allowed under section 32 of the Internal  
3366 Revenue Code of 1986” and inserting the phrase “40% of the earned income tax credit allowed  
3367 under section 32 of the Internal Revenue Code of 1986; provided, that the credit shall not be  
3368 allowed to a resident who has elected to claim the low income tax provided for in subsection (e)  
3369 of this section” in its place.

3370 (t) Section 47-2002 of the District of Columbia Official Code is amended as follows:

3371 (1) Paragraph (5) is repealed.

3372 (2) Paragraph (6) is repealed.

3373 (u) Section 47-3701(14) is amended to read as follows:

3374 “(14) “Zero bracket amount” means \$1 million or subject to available funding and in  
3375 accordance with §47-181:

3376 “(i) \$2 million; or

3377           “(ii) \$5 million increased by an amount equal to \$5 million multiplied by the cost of  
3378 living adjustment for the calendar year.”.

3379           (v) Section 47-3702 of the District of Columbia Official Code is amended as follows:

3380                   (A) Subsection (a) is amended by striking the phrase “before January 1,  
3381 2015” and inserting the phrase “before January 1, 2016” in its place.

3382                   (B) Subsection (b) is amended by striking the phrase “before January 1,  
3383 2015” and inserting the phrase “before January 1, 2016” in its place.

3384           (w) Section 47-3702(a-1)(1) is amended to read as follows:

3385                   “(1)The rate of tax shall be 16%; except that the portion of the taxable estate that  
3386 does not exceed the current zero bracket amount shall be taxed at 0%, and if the taxable estate  
3387 exceeds the zero bracket amount, the following tax rates shall be applied to the incremental  
3388 values of the taxable estate above the zero bracket amount:

3389                           “(A) The rate of tax on the taxable estate over \$1 million but not over \$1.5  
3390 million shall be 6.4%.

3391                           “(B) The rate of tax on the taxable estate over \$1.5 million but not over \$2  
3392 million shall be 7.2%.

3393                           “(C) The rate of tax on the taxable estate over \$2 million but not over \$2.5  
3394 million shall be 8%.

3395                           “(D) The rate of tax on the taxable estate over \$2.5 million but not over \$3  
3396 million shall be 8.8%.

3397                   “(E) The rate of tax on the taxable estate over \$3 million but not over \$3.5  
3398 million shall be 9.6%.

3399                   “(F) The rate of tax on the taxable estate over \$3.5 million but not over \$4  
3400 million shall be 10.4%.

3401                   “(G) The rate of tax on the taxable estate over \$4 million but not over \$5  
3402 million shall be 11.2%.

3403                   “(H) The rate of tax on the taxable estate over \$5 million but not over \$6  
3404 million shall be 12%.

3405                   “(I) The rate of tax on the taxable estate over \$6million but not over \$7  
3406 million shall be 12.8%.

3407                   “(J) The rate of tax on the taxable estate over \$7 million but not over \$8  
3408 million shall be 13.6%.

3409                   “(K) The rate of tax on the taxable estate over \$8 million but not over \$9  
3410 million shall be 14.4%.

3411                   “(L) The rate of tax on the taxable estate over \$9 million but not over \$10  
3412 million shall be 15.2%.”.

3413           (x) Title 47 of the District of Columbia Official Code is amended as follows:

3414                   (1) Section 47-845(c) is amended by striking the phrase “interest at the rate of 8%  
3415 per annum” and inserting the phrase “simple interest at the rate of 1/2% per month or portion of a  
3416 month until paid” in its place.

3417                   (2) Section 47-845.02 is amended as follows:

3418 (A) Subsection (a)(2) is amended to read as follows:

3419 “(2) “Household adjusted gross income” means the adjusted gross income  
3420 of all persons residing in a household, as determined by each person's federal income tax year  
3421 ending immediately before the beginning of the real property tax year during which application  
3422 is made under subsection (e) of this section, excluding the adjusted gross income of any person  
3423 who is a tenant by virtue of a written lease for fair market value.”.

3424 (B) Subsection (c) is amended by striking the phrase “interest at the rate of  
3425 8% per annum” and inserting the phrase “simple interest at the rate of 1/2% per month or portion  
3426 of a month until paid” in its place.

3427 (C) Subsection (d) is amended by striking the phrase “and § 47-845” and  
3428 inserting the phrase “, § 47-845, and § 47-845.03” in its place.

3429 (D) Subsection (h) is amended by adding a new paragraph (5) to read as  
3430 follows:

3431 “(5)(A) If a filed application is properly completed and not disapproved, taxes  
3432 deferred shall remain deferred and the taxes from prospective tax years shall continue to be  
3433 deferred notwithstanding household adjusted gross income applicable to prospective tax years  
3434 that exceeds the threshold in subsection (a)(1)(B) of this section.

3435 “(B) This paragraph shall not apply if the senior’s household no  
3436 longer qualifies for the deferral for any other reason.”.

3437 (3) Section 47-845.03 is amended as follows:

3438 (A) Subsection (a)(2) is amended to read as follows:

3439                           “(2) “Household adjusted gross income” means the adjusted gross  
3440 income of all persons residing in a household, as determined by each person's federal income tax  
3441 year ending immediately before the beginning of the real property tax year during which  
3442 application is made under subsection (f) of this section, excluding the adjusted gross income of  
3443 any person who is a tenant by virtue of a written lease for fair market value.”.

3444                           (B) Subsection (c) is amended to read as follows:

3445                           “(c) Taxes deferred under this section shall bear simple interest at the rate of  
3446 ½% per month or portion of a month until paid; provided, that if an individual owner is 75 years  
3447 of age or older, has less than \$12,500 of household interest and dividend income, and has owned  
3448 a residence in the District for at least the immediately preceding 25 years (including no more  
3449 than 2 consecutive gaps of ownership where each gap shall not exceed 120 days), no interest  
3450 shall bear for taxes deferred under this section.”.

3451                           (C) Subsection (d) is amended by striking the phrase “and § 47-845” and  
3452 inserting the phrase “, §47-845, and § 47-845.02” in its place.

3453                           (D) Subsection (i) is amended by adding a new paragraph (5) to read as  
3454 follows:

3455                           “(5) If a filed application is properly completed and not disapproved, taxes  
3456 deferred shall remain deferred and the taxes from prospective tax years shall continue to be  
3457 deferred notwithstanding household adjusted gross income applicable to prospective tax years  
3458 that exceeds the threshold in subsection (a)(4)(D) of this section. This paragraph shall not apply  
3459 where the senior’s household no longer qualifies for the deferral for any other reason.”.

3460 (4) Section 47-1806.06 is amended as follows:

3461 (A) Subsection (a) is amended as follows:

3462 (i) Paragraph (2)(C) is amended by striking the phrase "for all  
3463 claimants" and inserting the phrase "for all claimants other than eligible senior claimants" in its  
3464 place.

3465 (ii) A new paragraph (2A) is added to read as follows:

3466 "(2A) For taxable years beginning after December 31, 2014, the  
3467 percentage required under paragraph (1) of this subsection to be determined for eligible senior  
3468 claimants shall be 100% of property tax or of rent constituting property taxes accrued exceeding  
3469 3.0% of adjusted gross income of the tax filing unit."

3470 (B) Subsection (b) is amended by adding a new paragraph (9) to read as  
3471 follows:

3472 "(9) The term "eligible senior claimant" means a claimant who is 70 years  
3473 or older at any time during the tax year and whose adjusted gross income does not exceed  
3474 \$60,000."

3475 (C) Subsection (e)(1) is amended by striking the phrase "\$ 47-845" and  
3476 inserting the phrase "§§ 47-845, 47-845.02 and 47-845.03" in its place.

3477 (D) Subsection (r) is amended by striking the phrase "\$50,000 shall be"  
3478 and inserting the phrase "\$50,000 (\$60,000 for eligible senior claimants) shall be" in its place.

3479 (5) Section 47-845.03 is amended by striking the phrase "at least 25 years" and  
3480 inserting the phrase "at least the immediately preceding 25 years" in its place.

3481 (6) Chapter 13A is amended by striking the section designation

3482 “47-1390. Office of Real Property Tax Sale Review.”.

3483 (7) Section 47-1334(b) is amended by striking the phrase “1% per month” and  
3484 inserting the phrase “1.5% per month” in its place.

3485 (8) Section 47-1341 is amended as follows:

3486 (A) Subsection (a)(2) is amended to read as follows:

3487 "(2) The notice required pursuant to paragraph (1) of this subsection  
3488 shall be in substantively the following form and may include a payment coupon or enclosed bill:

3489 "THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES  
3490 IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS  
3491 OF TITLE TO THE PROPERTY

3492 "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot  
3493 number, and by premises address, the real property to be sold]

3494 "TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by May 31, 20\_\_ )

3495 “The amount that you must pay to avoid the tax sale may be less than the total amount owed  
3496 on the real property account. This amount may include fees or fines due to other DC agencies that  
3497 have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C.  
3498 Code § 47-1340.

3499 "According to the Mayor's tax roll, you own or may have an interest in the real property  
3500 listed above. Notice is given that unless you pay the amount stated above or fall within one of the



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3501 limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at  
3502 tax sale.

3503 "If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to  
3504 foreclose on the property. You must act now to avoid additional costs and significant expenses, as  
3505 well as potential loss of title to the property.

3506 "Payment to the "DC Treasurer" may be made online at [www.taxpayerservicecenter.com](http://www.taxpayerservicecenter.com) or  
3507 at any District branch of Wells Fargo Bank or mailed (with payment coupon from tax bill) to the  
3508 Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC  
3509 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a  
3510 copy of your proof of payment in case there is a later dispute about the payment.

3511 "If payment is not made before May 31, 20\_\_, the amount listed on this notice may no  
3512 longer be accurate. In that case, you must contact the Office of Tax and Revenue at ..... to  
3513 obtain an updated payoff amount.

3514 "YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP  
3515 FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR  
3516 ADDITIONAL INFORMATION.

3517 "Should you have additional questions, please call the Customer Service Center for the  
3518 Office of Tax and Revenue at (202) 727-4TAX (4829).

3519 "RESOURCES FOR REAL PROPERTY TAXPAYERS  
3520 IN THE DISTRICT OF COLUMBIA

3521 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible  
3522 for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or  
3523 related property tax matters, contact the Real Property Tax Ombudsman at .....

3524 "Classification Disputes. If your real property is classified as vacant or blighted and you  
3525 believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the  
3526 Department of Consumer and Regulatory Affairs at ..... for information on how to appeal  
3527 the property classification.

3528 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due  
3529 amount. For information on how to apply for this deferral, please contact the Office of Tax and  
3530 Revenue at.....

3531 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households  
3532 may have additional rights to defer property taxes. If think you may be eligible for this tax relief,  
3533 please contact the Office of Tax and Revenue at..... for more information.

3534 "Tax Sale Resource Center. Resource Center attorneys provide legal information to  
3535 taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from  
3536 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie  
3537 Courthouse at 500 Indiana Ave. NW.

3538 "Additional Legal Services. Free and reduced-cost legal services may be available to low-  
3539 and moderate-income households. You can get a list of service providers from the Real Property  
3540 Tax Ombudsman (above).

3541 "Housing Counseling Services. The U.S Department of Housing and Urban Development  
3542 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on  
3543 buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-  
3544 approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

3545 (B) Subsection (b-1)(2) is amended to read as follows:

3546 "(2) The notice required pursuant to paragraph (1) of this subsection shall be in  
3547 substantively the following form, and may include a payment coupon or enclosed bill:

3548 "THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES  
3549 IMMEDIATELY MAY HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS  
3550 OF TITLE TO THE PROPERTY

3551 "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot  
3552 number, and by premises address, the real property to be sold]

3553 "TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by [Last Business  
3554 Day before tax sale begins]

3555 "The amount that you must pay to avoid the tax sale may be less than the total amount owed  
3556 on the real property account. This amount may include fees or fines due to other DC agencies that  
3557 have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C.  
3558 Code § 47-1340.

3559 "According to the Mayor's tax roll, you own or may have an interest in the real property  
3560 listed above. Notice is given that unless you pay the amount stated above or fall within one of the

3561 limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at  
3562 tax sale.

3563 "If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to  
3564 foreclose on the property. You must act now to avoid additional costs and significant expenses, as  
3565 well as potential loss of title to the property.

3566 "Payment to the "DC Treasurer" may be made online at [www.taxpayerservicecenter.com](http://www.taxpayerservicecenter.com), at  
3567 any District branch of Wells Fargo Bank, or mailed (with payment coupon from tax bill) to the  
3568 Office of Tax and Revenue, Real Property Tax Administration, PO Box 98095, Washington, DC  
3569 20090-8095 (please write your square, suffix and lot numbers on the check). You should keep a  
3570 copy of your proof of payment in case there is a later dispute about the payment.

3571 "If payment is made less than 10 calendar days before [the last business day before tax sale],  
3572 you must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure  
3573 that your property is removed from the tax sale.

3574 • "You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email  
3575 address]; or HAND-DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the  
3576 Customer Service Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

3577 • "Do not mail your paid receipt.

3578 "YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP  
3579 FORBEARANCE OR FREE LEGAL SERVICES. PLEASE SEE THE NEXT PAGE FOR  
3580 ADDITIONAL INFORMATION.

3581 "Should you have additional questions, please call the Customer Service Center for the  
3582 Office of Tax and Revenue at (202) 727-4TAX (4829).

3583 "RESOURCES FOR REAL PROPERTY TAXPAYERS  
3584 IN THE DISTRICT OF COLUMBIA

3585 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible  
3586 for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or  
3587 related property tax matters, contact the Real Property Tax Ombudsman at .....

3588 "Classification Disputes. If your real property is classified as vacant or blighted and you  
3589 believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the  
3590 Department of Consumer and Regulatory Affairs at ..... for information on how to appeal  
3591 the property classification.

3592 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due  
3593 amount. For information on how to apply for this deferral, please contact the Office of Tax and  
3594 Revenue at.....

3595 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households  
3596 may have additional rights to defer property taxes. If think you may be eligible for this tax relief,  
3597 please contact the Office of Tax and Revenue at..... for more information.

3598 "Tax Sale Resource Center. Resource Center attorneys provide legal information to  
3599 taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from  
3600 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie  
3601 Courthouse at 500 Indiana Ave. NW.

3602 "Additional Legal Services. Free and reduced-cost legal services may be available to low-  
3603 and moderate-income households. You can get a list of service providers from the Real Property  
3604 Tax Ombudsman (above).

3605 "Housing Counseling Services. The U.S Department of Housing and Urban Development  
3606 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on  
3607 buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-  
3608 approved housing counseling agencies from the Real Property Tax Ombudsman (above).".

3609 (9) Section 47-1346(a)(5) is amended as follows:

3610 (A) Subparagraph (A) is amended by striking the word "taxes" and inserting  
3611 the phrase "in rem taxes" in its place.

3612 (B) Subparagraph (B) is amended by striking the word "taxes" and inserting  
3613 the phrase "in rem taxes" in its place.

3614 (10) Section 47-1348 is amended as follows:

3615 (A) Subsection (a)(10) is amended by striking the phrase "1% per month"  
3616 and inserting the phrase "1.5% per month" in its place.

3617 (B) Subsection (c) is amended by striking the phrase "1% per month" and  
3618 inserting the phrase "1.5% per month" in its place.

3619 (11) Section 47-1353(d) is amended by striking the phrase "1% per month" and  
3620 inserting the phrase "1.5% per month" in its place.

3621 (12) Section 47-1353.01(b) is amended to read as follows:

3622                   “(b) The notice required pursuant to subsection (a) of this section shall be in  
3623   substantively the following form:

3624                   “[Date]

3625                   "ATTENTION: YOUR PROPERTY WAS SOLD AT TAX SALE

3626                   "Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot  
3627   number, and by premises address]

3628                   "Tax Sale Date: [July \_\_, 20\_\_]

3629                   “If you do not pay all amounts due, the purchaser will have the right to file a lawsuit to  
3630   foreclose on the property and you may lose title.

3631                   "According to the Mayor's tax roll, you own or may have an interest in the real property  
3632   listed above. Please follow the below instructions to redeem your property from tax sale and prevent  
3633   a foreclosure lawsuit.

3634                   •        "To redeem your property from the tax sale, you must pay all taxes owed, as well as  
3635   any legal fees and expenses that may become due.

3636                   •        "A tax bill is mailed to you during the month of August. You should pay the bill in  
3637   full and on time.

3638                   •        "If you are receiving this notice after October 31, 20\_\_, or if you have not already  
3639   paid your tax bill in full, you should contact the Office of Tax and Revenue ("OTR") at ..... for  
3640   a current tax bill and up-to-date payoff amount.

DRAFT COMMITTEE PRINT

3641           •        "After you have paid your taxes, you should call OTR to confirm that you have  
3642 redeemed your property. Keep a copy of your proof of payment in case there is a later dispute about  
3643 the payment.

3644           •        "If you have not paid all taxes within four months after the Tax Sale Date stated  
3645 above, an additional \$381.50 may be added to reimburse the purchaser for some costs.

3646           •        "If you do not redeem the property within six months of the Tax Sale Date stated  
3647 above, the tax sale purchaser may file a lawsuit against you to obtain title to the property.

3648           •        "If the purchaser files a foreclosure lawsuit, you will be responsible for legal fees  
3649 and expenses that may total thousands of dollars. You may also lose title to the property.

3650           •        "For further information on how to redeem, please read our Real Property Owner's  
3651 Guide to the Tax Sale Redemption Process, available on our Web site at  
3652 [www.taxpayerservicecenter.com](http://www.taxpayerservicecenter.com) by clicking on "Real Property." You may also request a copy by  
3653 visiting or writing to our Customer Service Center at 1101 4th Street, SW, Suite 270W,  
3654 Washington, DC 20024.

3655           "YOU MAY BE ELIGIBLE FOR FREE LEGAL SERVICES OR OTHER ASSISTANCE.  
3656 SEE THE NEXT PAGE FOR MORE INFORMATION.

3657           "Should you have additional questions, please call OTR's Customer Service Center at (202)  
3658 727-4TAX (4829).

3659           "RESOURCES FOR REAL PROPERTY TAXPAYERS  
3660 IN THE DISTRICT OF COLUMBIA



3661 "Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible  
3662 for assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or  
3663 related property tax matters, contact the Real Property Tax Ombudsman at .....

3664 "Classification Disputes. If your real property is classified as vacant or blighted and you  
3665 believe this classification is incorrect, contact the Vacant Building Enforcement Unit of the  
3666 Department of Consumer and Regulatory Affairs at ..... for information on how to appeal  
3667 the property classification.

3668 "Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due  
3669 amount. For information on how to apply for this deferral, please contact the Office of Tax and  
3670 Revenue at.....

3671 "Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households  
3672 may have additional rights to defer property taxes. If think you may be eligible for this tax relief,  
3673 please contact the Office of Tax and Revenue at..... for more information.

3674 "Tax Sale Resource Center. Resource Center attorneys provide legal information to  
3675 taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from  
3676 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie  
3677 Courthouse at 500 Indiana Ave., NW.

3678 "Additional Legal Services. Free and reduced-cost legal services may be available to low-  
3679 and moderate-income households. You can get a list of service providers from the Real Property  
3680 Tax Ombudsman (above).

3681 "Housing Counseling Services. The U.S Department of Housing and Urban Development  
3682 ("HUD") sponsors housing counseling agencies throughout the country that can provide advice on  
3683 buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-  
3684 approved housing counseling agencies from the Real Property Tax Ombudsman (above). “.

3685 (13) Section 47-1354(b) is amended by striking the phrase “the other purchaser” and  
3686 inserting the phrase “such other purchaser” in its place.

3687 (14) Section 47-1361(d)(1) is amended by striking the phrase “subsection (b-1)” and  
3688 inserting the phrase “subsection (b-2)” in its place.

3689 (15) Section 47-1377(a)(1)(A)(i) is amended by striking the word “amount” and  
3690 inserting the word “cost” in its place.

3691 (y) Section 15(f) of the Business Improvement Districts Act of 1996, effective May 29,  
3692 1996 (D.C. Law 11-34; D.C. Official Code § 2-1215.15(f)), is amended by striking the phrase “plus  
3693 interest on the unpaid amount at the rate of 1 1/2%” and inserting the phrase “plus simple interest on  
3694 the unpaid amount at the rate of 1.5%” in its place.

3695 (z) The District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat.  
3696 11; D.C. Official Code § 42-1101 *et seq.*), is amended as follows:

3697 (1) Section 302(34) (D.C. Official Code § 42-1102(34)) is to read as follows:

3698 "(34) Deeds to property transferred to a named beneficiary of a revocable  
3699 transfer on death deed under the Uniform Real Property Transfer of Death Act of 2012, effective  
3700 March 19, 2013 (D.C. Law 19-230; D.C. Official Code § 19-604.01 *et seq.*), by reason of the death  
3701 of the grantor of the revocable transfer on death deed."

3702 (2) Section 303(a-4) (D.C. Official Code § 42-1103(a-4)) is amended by striking the  
3703 word “transferred” and inserting the phrase “transferred by deed of title” in its place.

3704 (aa) The Fiscal Year 2015 Budget Support Act of 2014, enacted on September 23, 2014  
3705 (D.C. Act 20-424; 61 DCR 9990), is amended as follows:

3706 (1) A new section 7173 is added to read as follows:

3707 “Sec. 7173. Applicability.

3708 “This subtitle shall be applicable for tax years beginning after December 31, 2014.”.

3709 (2) Section 7152(b)(1) is amended by striking the phrase “\$60.9 million”.

3710 (3) Section 7153(b) is amended by striking the phrase “\$60.9 million”.

3711 (4) Section 7154(b) is amended by striking the phrase “\$55.9 million from the \$60.9  
3712 million settlement the District obtained” and inserting the phrase “the full amount the District  
3713 obtained from the settlement, minus the amounts designated for other purposes in sections 7152 and  
3714 7153 of this act,” in its place.

3715 (5) Section 7182 is repealed.

3716 (6) Section 8032(a) is amended by striking the phrase “Regional Transportation  
3717 Improvement Program” and inserting the phrase “region’s Transportation Improvement Program”  
3718 in its place.

3719 (bb) The Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C.  
3720 Law 20-61; 61 DCR 962), is amended as follows:

3721 (1) Section 7313 is repealed.

3722 (2) Section 7314(b) is amended by striking the phrase “50% of”.

3723 (3) Section 7315 is amended to read as follows:

3724 “Sec. 7315. Applicability.

3725 “This subtitle shall apply as of the effective date of federal legislation or judicial action that  
3726 permits the District to impose a sales tax on sales over the Internet.”.

3727 Sec. 7016. LIHTC Pilot Program extension.

3728 (a) Section 47-4801(7) of the District of Columbia Official Code is amended to read as  
3729 follows:

3730 “(7) “Pilot period” means the initial two years of the credit program established  
3731 under this chapter.”.

3732 (b) Section 47-4802(a)(2) of the District of Columbia Official Code is amended to read as  
3733 follows:

3734 “(2) For the pilot period, the Department shall make available a cumulative amount of \$1  
3735 million in credits in tax years 2015 and 2016.”.

3736 **SUBTITLE C. PARKING TAX CONTINGENCY**

3737 Sec. 7021. Short title.

3738 This subtitle may be cited as the “Parking Tax Contingency Act of 2015”.

3739 Sec. 7022. Section 47-2002(a)(1) of the District of Columbia Official Code is amended  
3740 by striking the phrase “or station;” and inserting the phrase “or station; provided, that after  
3741 October 1, 2017, the rate of tax shall be 22%;” in its place.

3742           Sec. 7023. Section 7022 of this act shall not apply if fiscal year 2015 revenues in the June  
3743 2015 quarterly revenue estimate issued by the Chief Financial Officer are sufficient to implement  
3744 fully section 7062(c) of this act.

3745           **SUBTITLE D. LOW INCOME CREDIT AMENDMENT**

3746           Sec. 7031. Short title

3747           This subtitle may be cited as the “Low Income Credit Amendment Act of 2015”.

3748           Sec. 7032. Section 47-1806.04(e) of the District of Columbia Official Code is amended  
3749 as follows:

3750           (a) Paragraph (1) is amended to read as follows:

3751                   “(1)(A) If a return is filed for a full calendar year, the amount of the tax payable  
3752 under this subchapter by a resident of the District with respect to the taxable year shall be  
3753 reduced by a low income credit designed to make the District’s income threshold equal to the  
3754 federal income tax threshold. For purposes of this subsection, the term “tax threshold” means  
3755 the point at which a taxpayer begins to owe income tax after allowance of the standard deduction  
3756 and all personal exemptions to which the taxpayer is entitled, but before application of any  
3757 itemized deductions or credits. The credit shall be calculated in accordance with a table  
3758 prescribed by the Chief Financial Officer.

3759                   “(B)(i) If a return is filed for a period of less than a full calendar year  
3760 beginning after December 31, 2014, the income eligibility for the credit allowed under this  
3761 subsection shall be determined by annualizing the income earned during the portion of the year  
3762 the taxpayer was a District resident.

3763                               “(ii) If a part-year resident meets the annualized income and other  
3764 requirements of this subsection, the part-year resident shall be entitled to the pro rata share of the  
3765 credit allowed by the annualized income. The pro rata share shall be determined by multiplying  
3766 the credit allowed, from the table prescribed by the Chief Financial Officer, for the annualized  
3767 income by the fraction consisting of the number of days the taxpayer was a District resident over  
3768 365 days (or, in the case of a leap year, 366 days).”.

3769               (b) Paragraph (2) is amended to read as follows:

3770                               “(2) The credit provided for in paragraph (1) of this subsection shall not be  
3771 allowed to a resident:

3772                               “(A) Who has a federal tax liability determined in accordance with section  
3773 55 of the Internal Revenue Code of 1986;

3774                               “(B) Who has net federal adjusted gross income in excess of the minimum  
3775 federal income tax filing requirements. For purposes of this subparagraph, “net federal adjusted  
3776 gross income” is federal adjusted gross income less:

3777                               “(i) Taxable refunds, credits or offsets of state and local income  
3778 tax;

3779                               “(ii) Tax-exempt municipal bond interest income; and

3780                               “(iii) Federal taxable amount of social security or tier 1 railroad  
3781 retirement income; or

3782                               “(C) Who has elected to claim the earned income tax credit provided for in  
3783 subsection (f) of this section.”.

3784 Sec. 7033. Applicability.

3785 This subtitle shall apply to taxable years beginning after December 31, 2014.

3786 **SUBTITLE E. VAPOR PRODUCT AMENDMENT**

3787 Sec. 7041. Short title

3788 This subtitle may be cited as the “Vapor Product Act of 2015”.

3789 Sec. 7042. Title 47 of the District of Columbia Official Code is amended as follows:

3790 (a) Section 47-2001 is amended as follows:

3791 (1) Subsection (e-1) is repealed.

3792 (2) Subsection (h-3) is repealed.

3793 (b) Section 47-2401 is amended as follows:

3794 (1) Paragraph (5A) is amended to read as follows:

3795 “(5A) The term “other tobacco product” means any product containing, made  
3796 from, or derived from tobacco, other than a cigarette or premium cigar, that is intended or  
3797 expected to be consumed. The term “other tobacco product” includes vapor products, as defined  
3798 in paragraph (9A) of this section, but does not include any product that has been approved by the  
3799 United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco  
3800 dependence product, or for other medical purposes, and that is being marketed and sold solely  
3801 for such an approved purpose.”.

3802 (2) A new paragraph (9A) is added to read as follows:

3803 “(9A) The term “vapor product” means:

3804                   “(A) Any non-lighting, noncombustible product that employs a  
3805   mechanical heating element, battery, or electronic circuit, regardless of shape or size, that can be  
3806   used to produce aerosol from nicotine in a solution; or

3807                   “(B) Any vapor cartridge or other container of nicotine in a solution or  
3808   other form that is intended to be used with or in an electronic cigarette, electronic cigar,  
3809   electronic cigarillo, electronic pipe, or similar product or device.”.

3810           Sec. 7043. Applicability date.

3811           This act shall apply for taxable periods beginning on or after October 1, 2015.

3812           **SUBTITLE F. NOTICE OF PROPOSED AUDIT CHANGES REQUIREMENT**

3813           Sec. 7051. Short title.

3814           This subtitle may be cited as the “Notice of Proposed Audit Changes Requirement Act of  
3815   2015”.

3816           Sec. 7052. Chapter 43 of Title 47 of the District of Columbia Official Code is amended as  
3817   follows:

3818           (a) Section 47-4303 is amended to read as follows:

3819           “§ 47-4303. Suspension of running of period of limitation.

3820           “The running of the period of limitation provided in §§ 47-4301 and 47-4302 on the  
3821   making of assessments or collection shall be suspended:

3822           “(1) Beginning on the day the Chief Financial Officer of the District of Columbia  
3823   (“CFO”) issues a notice of proposed audit changes pursuant to § 47-4312 for 90 days or until the  
3824   issuance of a proposed assessment, whichever occurs first; and



3825                   (2) Beginning on the day the CFO issues a proposed assessment, until the issuance  
3826 of a final order by the Office of Administrative Hearings and for the period during which the  
3827 CFO is prohibited from making the assessment or from collecting due to a proceeding in court,  
3828 plus:

3829                               “(i) For assessment, 60 days thereafter; and

3830                               “(ii) For collection, 6 months thereafter.”.

3831                   (b) Section 47-4312 is amended by adding a new subsection (a-1) to read as follows:

3832                   “(a-1) Unless otherwise provided in this title, the CFO shall send a notice of proposed  
3833 audit changes to the person at least 30 days before the proposed assessment is sent.”.

3834                   **SUBTITLE G. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**  
3835 **OVERTIME SETTLEMENT**

3836                   Sec. 7061. Short title.

3837                   This subtitle may be cited as the “Fire and Emergency Medical Services Overtime  
3838 Settlement Fund Act of 2015”.

3839                   Sec. 7062. Fire and Emergency Medical Services Overtime Settlement Fund.

3840                   (a) There is established as a nonlapsing special fund the Fire and Emergency Medical  
3841 Services Overtime Settlement Fund (“Fund”), which shall be administered by the Office of the  
3842 City Administrator in accordance with subsection (c) of this section.

3843                   (b)(1) Subject to paragraph (2) of this subsection, there shall be deposited into the fund:

3844                               (A) Excess fiscal year 2015 revenues certified by the Chief Financial  
3845 Officer in the June 2015 quarterly revenue estimate; and

3846 (B) Immediately upon completion of the year-end close, the undesignated  
3847 and unreserved end-of-the-year fund balance.

3848 (2) The Chief Financial Officer shall deposit into the Fund only the amount  
3849 necessary to fully satisfy the settlement costs set forth in (c). Any excess above that amount shall  
3850 be deposited into the unrestricted fund balance of the General Fund of the District, subject to any  
3851 allocation required by D.C. Official Code § 47-392.02.

3852 (c) The Fund shall be used to pay the costs arising from the decision in *District of*  
3853 *Columbia Fire and Emergency Medical Services Department v. District of Columbia Public*  
3854 *Employee Relations Board, et al.*, 105 A.3d 992 (D.C. 2014).

3855 Sec. 7063. Applicability.

3856 (a) This subtitle shall apply as of the effective date of the Fiscal Year 2016 Budget  
3857 Support Emergency Act of 2015, effective \_\_, 2015 (Enrolled version of Bill 21-\_\_).

3858 (b) If funds deposited under section 7062(b) of this act are sufficient to fully fund the  
3859 costs arising from the decision in *District of Columbia Fire and Emergency Medical Services*  
3860 *Department v. District of Columbia Public Employee Relations Board, et al.*, 105 A.3d 992  
3861 (D.C. 2014), as certified by the Chief Financial Officer, section 7022 of this act shall not apply.

3862 **SUBTITLE H. BUSINESS IMPROVEMENT DISTRICT TECHNICAL**  
3863 **CLARIFICATION**

3864 Sec. 7071. Short title.

3865 This subtitle may be cited as the “Business Improvement District Technical Amendment  
3866 Act of 2015”.

3867           Sec. 7072. The Business Improvement District Amendment Act of 1996, effective May  
3868   29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

3869           (a) Section 3(24)(C) (D.C. Official Code § 2-1215.02 (24)(C)) is amended by  
3870   striking the date “September 30, 2014” and inserting date “September 30, 2003” in its place.

3871           (b) Section 16(g-1) (D.C. Official Code § 2-1215.15(g-1)) is amended as follows:

3872           (1) Paragraph (2) is amended by striking the phrase “The BID tax resulting” and  
3873   inserting the phrase “For periods beginning after September 30, 2003, the BID tax resulting” in  
3874   its place.

3875           (2) Paragraph (3) is repealed.

3876           **SUBTITLE I. DISTRICT OF COLUMBIA DEPOSITORY EXPANSION**

3877           Sec. 7081. Short title.

3878           This subtitle may be cited as the “District of Columbia Depository Expansion Act of  
3879   2015”.

3880           Sec. 7082. Section 47-351.08(b) of the District of Columbia Official Code is amended as  
3881   follows:

3882           (a) Paragraph (3) is amended by striking the word “or” at the end.

3883           (b) Paragraph (4) is amended by striking the period at the end and inserting the phrase “;  
3884   or” in its place.

3885           (c) A new paragraph (5) is added to read as follows:

3886           “(5) Letters of credit issued by a Federal Home Loan Bank.”.

3887           **SUBTITLE J. 4427 HAYES STREET, N.E. REAL PROPERTY TAX**

3888   **ABATEMENT**

3889           Sec. 7091. Short title.

3890           This subtitle may be cited as the “4427 Hayes Street, N.E., Real Property Tax Abatement  
3891 Amendment Act of 2015”.

3892           Sec. 7092. Section 47-4649 of the District of Columbia Official Code is amended as  
3893 follows:

3894           (a) Strike the phrase “tax years 2011, 2012, 2013, 2014, and 2015” and insert the phrase  
3895 “tax years 2011 through 2040” in its place.

3896           (b) Strike the number “\$140,000” and insert the number “\$30,000 a year” in its place.

3897           **SUBTITLE K. MARKET BASED SOURCING CLARIFICATION**

3898           Sec. 7101. Short title.

3899           This subtitle may be cited as the “Market-based Sourcing Clarification Amendment Act  
3900 of 2015”.

3901           Sec. 7102. Title 47 of the District of Columbia Official Code is amended as follows:

3902           (a) Section 47-1334 is amended to read as follows:

3903           "§ 47-1334. Interest rate.

3904           "(a) The rate of simple interest on all amounts due, owing, or paid for the taxes sold or  
3905 bid off to the District under this chapter shall be 1.5% per month or portion thereof until paid,  
3906 excluding surplus; provided, that interest on the amount sold at tax sale, excluding surplus, shall

3907 accrue at the applicable interest rate beginning the first day of the month following the tax sale.

3908 No interest shall accrue for surplus, expenses, or the reasonable value of improvements.

3909       "(b) The purchaser shall receive simple interest of 1.5% per month or portion thereof on  
3910 the amount paid for the real property, excluding surplus, beginning on the first day of the month  
3911 immediately following when the real property was sold or the certificate of sale was assigned by  
3912 the Mayor until the payment to the Mayor is made as required under § 47-1361(a), by another  
3913 purchaser under § 47-1382(c), or by the trustee under § 47-1382.01(d)(2), and as provided in §  
3914 47-1354(b) for the period when such other taxes were paid. The purchaser shall receive no  
3915 interest for expenses or the reasonable value of improvements.”.

3916       (b) Section 47-1348 is amended as follows:

3917               (1) Subsection (a)(10) is amended to read as follows:

3918               “(10) A statement that the rate of simple interest, upon redemption, shall be 1.5%  
3919 per month or portion thereof on the amount paid for the real property, excluding surplus,  
3920 beginning on the first day of the month immediately following the date of the tax sale or the date  
3921 when the certificate of sale was assigned by the Mayor.”.

3922               (2) Subsection (c) is amended by striking the phrase “On redemption, the  
3923 purchaser will be refunded the sums paid on account of the purchase price, together with interest  
3924 thereon at the rate of 18% per annum from the date the real property was sold to the date of  
3925 redemption; provided, that the purchaser shall not receive interest on any surplus.” and inserting  
3926 the phrase "Upon payment to the Mayor as specified in § 47-1361(a) or, if payment to the Mayor  
3927 is made by another purchaser under § 47-1382(c), the purchaser shall be refunded the sums paid

3928 on account of the purchase price, together with simple interest thereon at the rate of 1.5% per  
3929 month or portion thereof on the amount paid for the real property, excluding surplus, beginning  
3930 on the first day of the month immediately following the date of the tax sale or the date when the  
3931 certificate of sale was assigned by the Mayor until the payment to the Mayor is made as required  
3932 under § 47-1361(a) or § 47-1382(c); provided, that the purchaser shall not receive interest on any  
3933 surplus." in its place. (c) Section 47-1353(d) is amended to read as follows:

3934 "(d) Upon payment to the Mayor as specified in § 47-1361(a) or if payment to the Mayor  
3935 is made by another purchaser as specified in § 47-1382(c), the purchaser shall be refunded the  
3936 sums paid on account of the purchase price, together with simple interest thereon at the rate of  
3937 1.5% per month or portion thereof on the amount paid for the real property, excluding surplus,  
3938 beginning on the first day of the month immediately following the day of the tax sale to the  
3939 purchaser or the date when the certificate of sale was assigned by the Mayor until the payment to  
3940 the Mayor is made as required under § 47-1361(a) or § 47-1382(c); provided, that the purchaser  
3941 shall not receive interest on any surplus."

3942 (d) Section 47-1810.02(g)(3) is amended to read as follows:

3943 "(3)(A) For the tax years beginning after December 31, 2014, sales, other than  
3944 sales of tangible personal property, are in the District if the taxpayer's market for the sales is in  
3945 the District. The taxpayer's market for sales is in the District:

3946 "(i) In the case of sale, rental, lease, or license of real property, if  
3947 and to the extent the property is located in the District;

3948                               “(ii) In the case of rental, lease, or license of tangible personal  
3949 property, if and to the extent the property is located in the District;

3950                               “(iii) In the case of the sale of a service, if and to the extent the  
3951 service is delivered to a location in the District; and

3952                               “(iv) In the case of intangible property:

3953                                       “(I) That is rented, leased, or licensed, if and to the extent  
3954 the property is used in the District; provided, that intangible property utilized in marketing a  
3955 good or service to a consumer is used in the District if that good or service is purchased by a  
3956 consumer who is in the District; and

3957                                       “(II) That is sold, if and to the extent the property is used in  
3958 the District; provided, that:

3959   “(aa) A contract right, government license, or  
3960 similar intangible property that authorizes the holder to conduct a business activity in a specific  
3961 geographic area is used in the District if the geographic area includes all or part of the District;

3962   “(bb) Receipts from intangible property sales that  
3963 are contingent on the productivity, use, or disposition of the intangible property shall be treated  
3964 as receipts from the rental, lease, or licensing of such intangible property under sub-sub-  
3965 subparagraph (I) of this sub-subparagraph; and

3966   “(cc) All other receipts from a sale of intangible  
3967 property shall be excluded from the numerator and denominator of the sales factor.

3968                   "(B) If the state or states of assignment under subparagraph (A) of this  
3969 paragraph cannot be determined, the state or states of assignment shall be reasonably  
3970 approximated.

3971                   "(C) If the taxpayer is not taxable in a state in which a sale is assigned  
3972 under subparagraph (A) or (B) of this paragraph, or if a state of assignment cannot be determined  
3973 under subparagraph (A) of this paragraph or reasonably approximated under subparagraph (B) of  
3974 this paragraph, the sale shall be excluded from the denominator of the sales factor.

3975                   "(D) The Chief Financial Officer may prescribe regulations as necessary  
3976 or appropriate to carry out the purposes of this subsection.

3977                   “(E) This paragraph shall apply as of January 1, 2015.”.

3978                   **SUBTITLE L. REAL PROPERTY ASSESSMENT APPOINTMENT**

3979                   **CLARIFICATION**

3980                   Sec. 7111. Short title.

3981                   This subtitle may be cited as the “Real Property Assessment Appointment Clarification  
3982 Act of 2015”.

3983                   Sec. 7112. Section 47-825.02 of the District of Columbia Official Code is repealed.

3984                   **SUBTITLE M. SOUTHWEST BUSINESS IMPROVEMENT DISTRICT**

3985                   **CLARIFICATION**

3986                   Sec. 7121. Short title.

3987                   This subtitle may be cited as the “Southwest Business Improvement District Clarification  
3988 Amendment Act of 2015”.



3989           Sec. 7122. Section 209(c) of the Business Improvement Districts Act of 1996, effective  
3990   September 9, 2014 (D.C. Law 20-136; D.C. Official Code § 2-1215.60(c)), is amended as  
3991   follows:

3992           (a) Paragraph (1)(A)(iii) is amended by striking the phrase “other law;” and inserting the  
3993   phrase “other law, but shall not include any property covered by paragraph (4) of this  
3994   subsection;” in its place.

3995           (b) A new paragraph (4) is added to read as follows:

3996           “(4) Notwithstanding paragraph (1)(A)(iii) of this subsection, the total BID tax  
3997   payable with respect to any property that is an integral part of a development larger than 5 acres  
3998   and the owner of which is required to contribute to the maintenance and improvement of  
3999   roadways and sidewalks adjacent to the property or otherwise associated with the development in  
4000   lieu of the District having that responsibility shall be reduced by 30% from that which would  
4001   otherwise be payable with respect to such property, to reflect the reduced services provided by  
4002   the Southwest BID with respect to the property.”.

4003           **SUBTITLE P. STANDARD DEDUCTION WITHHOLDING CLARIFICATION**

4004           Sec.7131. Short title.

4005           This subtitle may be cited as the “Standard Deduction Withholding Clarification Act of  
4006   2015”.

4007           Sec. 7132. Section 47-1812.08(b) of the District of Columbia Official Code is amended  
4008   by adding a new paragraph (1A) to read as follows:

4009                   “(1A) Notwithstanding which method of determination for withholding set forth  
4010 in paragraph (1) of this subsection is used, no allowance for the standard deduction shall be  
4011 permitted.”.

4012                   **SUBTITLE N. UNIFIED ECONOMIC DEVELOPMENT REPORT**

4013                   **CLARIFICATION**

4014                   Sec. 7131. Short title.

4015                   This subtitle may be cited as the "Unified Economic Development Clarification Act of  
4016 2015".

4017                   Sec. 7132 Section 2253 of the Unified Economic Development Budget Transparency  
4018 and Accountability Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official  
4019 Code § 2-1208.02) is amended as follows:

4020                   (a) Subsection (a)(1) is amended by striking the phrase “Not more than 3 months after the  
4021 end of each fiscal year” and inserting the phrase “On or before March 1” in its place.

4022                   (b) Section (b) is amended by striking phrase “The Chief Financial Officer” and inserting  
4023 the phrase “The Mayor” in its place.

4024                   **SUBTITLE O. COMBINED REPORTING CLARIFICATION**

4025                   Sec. 7141. Short title.

4026                   This subtitle may be cited as the "Combined Reporting Clarification Act of 2015".

4027                   Sec. 7142. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
4028 as follows:

4029 (a) The table of contents is amended by adding a new section designation to read as  
4030 follows:

4031 “§ 47-1801.06. Tax haven updates.”.

4032 (b) A new section 47-1801.06 is added to read as follows:

4033 “§ 47-1801.06. Tax haven updates.

4034 “(a) The Council shall review the list of tax havens set forth in § 47-1801.04(49)(B-i)  
4035 biennially or as needed.

4036 “(b) The Chief Financial Officer of the District of Columbia (“CFO”) may submit  
4037 amendments, as the CFO considers necessary, to the Council for revision by act of the list of tax  
4038 havens.”.

4039 (c) Section 47-1801.04(49) is amended as follows:

4040 (1) Subparagraph (A) is amended by striking the phrase “means a jurisdiction  
4041 that” and inserting the phrase “means the jurisdictions listed in subparagraph (B-i) of this  
4042 paragraph and any jurisdiction that” in its place.

4043 (2) A new subparagraph (B-i) is added to read as follows:

4044 “(B-i) Each of the following jurisdictions is a tax haven:

4045 “(i) Andorra;

4046 “(ii) Anguilla;

4047 “(iii) Antigua and Barbuda;

4048 “(iv) Aruba;

4049 “(v) The Bahamas;

DRAFT COMMITTEE PRINT

- 4050 “(vi) Bahrain;
- 4051 “(vii) Barbados;
- 4052 “(viii) Belize;
- 4053 “(ix) Bermuda;
- 4054 “(x) The British Virgin Islands;
- 4055 “(xi) The Cayman Islands;
- 4056 “(xii) The Cook Islands;
- 4057 “(xiii) Cyprus;
- 4058 “(xiv) Dominica;
- 4059 “(xv) Gibraltar;
- 4060 “(xvi) Grenada;
- 4061 “(xvii) Guernsey-Sark-Alderney;
- 4062 “(xviii) The Isle of Man;
- 4063 “(xix) Jersey;
- 4064 “(xx) Liberia;
- 4065 “(xxi) Liechtenstein;
- 4066 “(xxii) Luxembourg;
- 4067 “(xxiii) Malta;
- 4068 “(xxiv) The Marshall Islands;
- 4069 “(xxv) Mauritius;
- 4070 “(xxvi) Monaco;

4071 “(xxvii) Montserrat;  
4072 “(xxviii) Nauru;  
4073 “(xxix) The islands formerly constituting the Netherlands Antilles;  
4074 “(xxx) Niue;  
4075 “(xxxi) Samoa;  
4076 “(xxxii) San Marino;  
4077 “(xxxiii) Seychelles;  
4078 “(xxxiv) St. Kitts and Nevis;  
4079 “(xxxv) St. Lucia;  
4080 “(xxxvi) St. Vincent and the Grenadines;  
4081 “(xxxvii) The Turks and Caicos Islands;  
4082 “(xxxviii) The U.S. Virgin Islands; and  
4083 “(xxxix”) Vanuatu.”.

4084 **SUBTITLE P. UNION MARKET DISTRICT TIF**

4085 Sec. 7151. Short title.

4086 This subtitle may be cited as the “Union Market District TIF Inducement Act of 2015”.

4087 Sec. 7152. Definitions.

4088 For the purpose of this act, the term:

4089 (1) "Development costs" has the same meaning as given the term in the TIF Act.

4090 (2) "Development Sponsor" means Edens, or an affiliate thereof approved by the

4091 Mayor.

4092 (3) "Eligible project" has the same meaning as given the term in the TIF Act.

4093 (4) "Home Rule Act" means the District of Columbia Home Rule Act, approved  
4094 December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

4095 (5) "Project" means the financing, refinancing, or reimbursing of certain tax  
4096 increment qualified costs incurred for the development of projects, including retail, residential,  
4097 and office space on parcels, lots, and squares, within and abutting the boundary of the Florida  
4098 Avenue Market as set forth in the Florida Avenue Market Small Area Plan, dated 2009, approved  
4099 October 6, 2009 (Res. 18-257; 56 DCR 8401).

4100 (6) "Tax increment" has the same meaning as given the term in section 490 of  
4101 the Home Rule Act.

4102 (7) "TIF Act" means the Tax Increment Financing Authorization Act of 1998,  
4103 effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.01 *et seq.*).

4104 (8) "TIF Bonds" means bonds, notes, or other obligations issued pursuant to the  
4105 TIF Act.

4106 Sec. 7153. Findings.

4107 The Council finds that:

4108 (1) Pursuant to section 490 of the Home Rule Act, the TIF Act provides for the  
4109 issuance of TIF Bonds to finance certain public infrastructure costs of eligible projects to the  
4110 extent the debt service on the TIF Bonds can be paid from tax revenues generated by those  
4111 eligible project and does not violate District law with regard to the limitations on the issue of  
4112 debt.

4113                   (2) The Development Sponsor has requested that the District consider the  
4114 issuance of TIF Bonds, in one or more taxable or tax-exempt issues, for the purpose of financing  
4115 or reimbursing the Development Sponsor for development costs of the Project in the net amount  
4116 of \$90 million.

4117                   (3) The Project is desirable and in the public interest.  
4118                   Sec. 7154. Declaration of intent.

4119                   (a) The Council supports the Project and, to the extent feasible, legal and prudent under  
4120 the District's debt limitations, and in compliance with law, supports efforts to issue TIF Bonds to  
4121 finance eligible development costs of the Project.

4122                   (b) The maximum principal amount of the TIF Bonds to be issued to finance the  
4123 Project shall be determined by agreement of the Development Sponsor, the Chief Financial  
4124 Officer, and the Mayor.

4125                   (c) The issuance of the TIF Bonds shall be dependent on the execution of a mutually  
4126 agreed upon development agreement and other agreements between the District and the  
4127 Development Sponsor and certification of the project by the Chief Financial Officer pursuant to  
4128 the TIF Act.

4129                   Sec. 7155. Future legal requirements.

4130                   The issuance of TIF Bonds to finance the Project and the terms of the resolution  
4131 approving the issuance of the TIF Bonds are subject to approval by the Council as set forth in the  
4132 TIF Act. Enactment of this subtitle in no way guarantees that the District will authorize the issue

4133 of TIF bonds in any amount, that the TIF bonds will be approved by the District, or that the TIF  
4134 Bonds will actually be issued.

4135 **SUBTITLE Q. REAL PROPERTY TAX TRANSFER DEFERRAL**

4136 Sec. 7161. Short title.

4137 This subtitle may be cited as the “Real Property Tax Transfer Deferral Amendment Act  
4138 of 2015”.

4139 Sec. 7162. Section 47-845.03 of the District of Columbia Official Code is amended as  
4140 follows:

4141 (a) Subsection (a) is amended by adding a new paragraph (1A) to read as follows:

4142 “(1A) “Heir” means an individual named in an enforceable will or transfer on death deed,  
4143 or an individual named as a beneficiary of an enforceable trust, or in the absence of the  
4144 foregoing, an individual who shall inherit pursuant to Chapter 3 of Title 19 of the District of  
4145 Columbia Official Code.”.

4146 (b) Subsection (e) is amended as follows:

4147 (1) Paragraph (2) is amended to read as follows:

4148 “(2) Deferred real property tax, interest thereon, and any penalties, shall be  
4149 payable upon the transfer of the real property.”.

4150 (2) New paragraphs (3), (4), and (5) are added to read as follows:

4151 “(3) Any real property tax deferral granted under this section shall expire one year  
4152 from the date of the death of the eligible owner if the subject property has not been transferred as  
4153 of that date.



4154                   “(4) Where a subject property is not the subject of an inheritance or probate  
4155 proceeding, real property tax and interest thereon shall be due as follows:

4156                   “(A) Real property tax, interest thereon, and any penalties on a transferred  
4157 subject property not transferred to heirs and not paid within 90 days of the date of transfer or  
4158 expiration of deferral shall be deemed delinquent real property tax.

4159                   “(B) Real property tax, interest thereon, and any penalties on a subject  
4160 property transferred to heirs and not paid within one year of the date of transfer or expiration of  
4161 deferral shall be deemed delinquent real property tax.

4162                   “(5) Where a subject property is the subject of an inheritance or probate  
4163 proceeding, real property tax and interest thereon not paid within one year from the date of  
4164 transfer or expiration of deferral shall be deemed delinquent real property tax.”.

4165                   **SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**  
4166 **MATCH**

4167                   Sec. 7171. Short title.

4168                   This subtitle may be cited as the “National Cherry Blossom Festival Fundraising Match  
4169 Act of 2015”.

4170                   Sec. 7172. (a) In Fiscal Year 2016, of the funds allocated to the Non-Departmental  
4171 agency, \$250,000 shall be transferred to the Washington Convention and Sports Authority to  
4172 administer a matching grants program to support the National Cherry Blossom Festival. A  
4173 matching grant of up to \$250,000 shall be awarded to a nonprofit organization that organizes and  
4174 produces an event or events as part of the official, month-long National Cherry Blossom Festival

4175 dollar-for-dollar for corporate donations above \$750,000 raised by the nonprofit for this purpose  
4176 by March 31, 2016. The amount transferred under this section shall be used to match dollar-for-  
4177 dollar the amount raised in excess of \$750,000, up to a total matching amount of \$250,000. Any  
4178 matching grant awarded under this section shall be in addition to any other grants awarded by the  
4179 Washington Convention and Sports Authority in support of the National Cherry Blossom  
4180 Festival.

4181 (b) Grants issued pursuant to this subsection shall be administered pursuant to the  
4182 requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013  
4183 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

4184 **SUBTITLE S. TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF**

4185 Sec. 7181. Short title.

4186 This subtitle may be cited as the “Tregaron Conservancy Tax Exemption and Relief  
4187 Amendment Act of 2015”.

4188 Sec. 7182. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as  
4189 follows:

4190 (a) The table of contents is amended by striking the phrase “Lots 857, 859, and 860” and  
4191 inserting the phrase “Lots 848, 857, 859, and 860” in its place.

4192 (b) Section 47-1077 of the District of Columbia Official Code is amended by striking the  
4193 phrase “Lots 857, 859, and 860” and inserting in its place the phrase “Lots 848, 857, 859, and  
4194 860” wherever it appears.

4195 Sec. 7183. Transfer exempt from transfer and recordation taxes.

4196           The conveyance of the real property in Lot 848, Square 2084 to the Tregaron  
4197   Conservancy shall be exempt from the tax imposed by section 303 of the District of Columbia  
4198   Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1103), and  
4199   D.C. Official Code § 47-903.

4200           Sec. 7184. Applicability.

4201           This subtitle shall apply as of March 31, 2015.

4202           **TITLE VIII. CAPITAL BUDGET**

4203           **SUBTITLE A. FY 2016 CAPITAL PROJECT FINANCING REALLOCATION**

4204           Sec. 8001. Short title.

4205           This subtitle may be cited as the "Fiscal Year 2016 Capital Project Reallocation Approval  
4206   Act of 2015".

4207           Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of  
4208   Columbia Official Code, the Council approves the Mayor's request to reallocate \$105,457,889 in  
4209   general obligation bond proceeds from District capital projects listed in Table A to the District  
4210   capital projects, in the amounts specified, listed in Table B.

4211           (b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax  
4212   Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011,  
4213   effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax  
4214   Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012,  
4215   effective October 16, 2012 (Res. 19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax  
4216   Secured Revenue Bond and General Obligation Approval Resolution of 2013, effective

DRAFT COMMITTEE PRINT

4217 November 5, 2013 (Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015 Income Tax Secured  
4218 Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective  
4219 November 18, 2014 (Res. 20-687; 61 DCR 12738) .

## DRAFT COMMITTEE PRINT

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2013A G.O.	2,166,753
Commission On Arts and Humanities	AH7	CAH	Arts & Humanities Grants & Projects	2014C G.O.	2,451,957
Commission On Arts and Humanities	DA1	CAH	Arts & Humanities Grants & Projects	2012 C - IT	157,088
D.C. Public Library	LB2	DCPL	Library Improvements	2012 C - IT	5,924
D.C. Public Library	LB2	DCPL	Library Improvements	2013A G.O.	6,536
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2012 C - IT	1,759,993
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2013A G.O.	1,000,000
Department Behavioral Health	HX4	DBH	Construct New SEH In-Patient	2014C G.O.	3,000,000
Department of Corrections	CR1	DOC	HVAC Replacement	2013A G.O.	210,299
Department of General Services	PR1	DGS	One Judiciary Square Roof	2014C G.O.	566,687
Department of Parks and Recreation	COM	DGS	Congress Heights Modernization	2012 FG IT	26,761
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2012 FG IT	177,483
Department of Public Works	FS1	DPW	Upgrade to DPW Fueling Sites	2013A G.O.	76,427
Deputy Mayor for Education	CES	DMED	Language Immersion MS/HS Facility Grant	2014C G.O.	3,000,000
Deputy Mayor for Planning and Economic Development	AWR	DMPED	St Elizabeths Infrastructure	2012 C - IT	41,196,793
Deputy Mayor for Planning and Economic Development	EB0	DMPED	New Communities	Pending	8,000,000
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	347,460
District Department of Transportation	CE3	DDOT	Alley Maintenance	2012 C - IT	227,938
District Department of Transportation	CE3	DDOT	Alley Maintenance	2013A G.O.	328,043
District Department of Transportation	ED0	DDOT	11th Street Bridge Park	Pending	2,003,643
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2012 C - IT	1,430,163
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2013A G.O.	3,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	2014C G.O.	2,500,000
District Department of Transportation	NP0	DDOT	Non-Participating Highway Trust Fund Support	Pending	4,481,447
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2012 C - IT	532,146
District Department of Transportation	PM3	DDOT	Advanced Design and Planning	2013A G.O.	1,000,000
District Department of Transportation	SA3	DDOT	H Street/Benning/K Street Streetcar Line	Pending	36,011,922
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2012 C - IT	1,000,000
District of Columbia Public Schools	CHA	DGS	Challenger Center For Space Education	2014C G.O.	500,000
District of Columbia Public Schools	MH1	DGS	Dunbar SHS Modernization	2012 FG IT	4,243,657
District of Columbia Public Schools	NX3	DGS	Cardozo HS Modernization	2012 FG IT	12,304,374
District of Columbia Public Schools	PE3	DCPS	Drew ES Modernization/Renovation	2012 C - IT	511,155
Fire and Emergency Management Services	F34	FEMS	Emergency Communication Systems	2013A G.O.	16,841
Fire and Emergency Management Services	LC5	FEMS	Engine Company 23 Renovation	2014C G.O.	2,886,745
Metropolitan Police Department	CTV	MPD	Tactical Village Training Facility	2014C G.O.	738,768
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2012 C - IT	3,542,714
Office of Municipal Planning	PLN	OP	District Public Plans and Studies	2014C G.O.	6,525,205
Office of the Chief Financial Officer	BF2	OCFO	SOAR Modernization	Pending	10,000,000
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2012 C - IT	1,001,550
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2013A GO	648,627
Office of the Chief Financial Officer	BF3	OCFO	SOAR Replacement	2014C G.O.	63,000
Special Education Transportation	BU2	SET	Special Education Transportation Center	2012 C - IT	4,840,628
<b>TOTAL</b>					<b>\$164,988,727</b>

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of Corrections	CR0	DGS	Inmate Processing Center	N/A	4,500,000
D.C. Public Library	NEL	DCPL	Northeast Library	N/A	547,780
District of Columbia Public Schools	NA6	DGS	Ballou Senior High School	N/A	27,986,000
District of Columbia Public Schools	NR9	DGS	Roosevelt Senior High School	N/A	20,223,161
District of Columbia Public Schools	YY1	DGS	Modernizations & Renovations	N/A	50,864,967
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,500,000
Office on Aging	EA3	DGS	Washington Center for Aging Services Renovation	N/A	409,442
WMATA	SA3	WMATA	WMATA Fund - PRIIA	N/A	10,406,472
WMATA	SA5	WMATA	WMATA CIP Contribution	N/A	21,550,905
University of the District of Columbia	UG7	UDC	Renovation of University Facilities	N/A	20,000,000
<b>TOTAL</b>					<b>\$164,988,727</b>

4221           **SUBTITLE B. SALE OF PUBLIC LANDS PROCEEDS AMENDMENT**

4222           Sec. 8011. Short title.

4223           This subtitle may be cited as the “McMillan Redevelopment Proceeds Amendment Act of  
4224 2015”.

4225           Sec. 8012. Section 1 of An Act Authorizing the sale of certain real estate in the District  
4226 of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211;  
4227 D.C. Official Code § 10-801 *et seq.*), is amended by adding a new subsection (n) to read as  
4228 follows:

4229           “(n) The net proceeds from the disposition of the McMillan Sand Filtration Site approved  
4230 by the McMillan Residential Townhomes Parcel Disposition Approval Resolution of  
4231 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Residential  
4232 Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res.  
4233 20-706; 62 DCR 1094), and the McMillan Commercial Parcel Disposition Approval Resolution  
4234 of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), shall not be deposited into the  
4235 unrestricted fund balance of the General Fund of the District of Columbia but instead shall be  
4236 deposited into the capital fund account associated with the McMillan Site Redevelopment, EB0-  
4237 AMS11C.”.

4238           **SUBTITLE C. DDOT CAPITAL BUDGET ALLOCATION AUTHORITY**  
4239 **AMENDMENT**

4240           Sec. 8021. Short title.

4241           This title may be cited as the “Department of Transportation Capital Budget Allocation  
4242 Authority Amendment Act of 2015”.

4243           Sec. 8022. Section 3(e)(2) of the Department of Transportation Establishment Act of  
4244 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)(2)), is  
4245 amended to read as follows:

4246           “(2) The Director may submit requests to the Office of Budget and Planning of  
4247 the Office of the Chief Financial Officer (“OBP”) to allocate funds for the Related Projects, as  
4248 submitted annually thereafter by the Director through the approved Transportation Improvement  
4249 Plan (TIP) as part of the budget request for each capital project created in fiscal year 2012 or  
4250 later funded from the District of Columbia Highway Trust Fund. The Director, following  
4251 allocation of funds by OBP to the Related Projects, shall have the authority to obligate and spend  
4252 the funds.”.

4253           **SUBTITLE D. PAY-AS-YOU-GO CAPITAL ACCOUNT AMENDMENT**

4254           Sec. 8031. Short title.

4255           This subtitle may be cited as the “Pay-as-you-go Capital Account Amendment Act of  
4256 2015”.

4257           Sec. 8032. Section 47-392.02(f)(2) of the District of Columbia Official Code is amended  
4258 by striking the phrase “fiscal year 2016” and inserting the phrase “fiscal year 2019” in its place.

4259           **SUBTITLE E. CAPITAL PROJECT REVIEW AND RECONCILIATION**

4260           Sec. 8041. Short title.

This subtitle may be cited as the "Capital Project Review and Reconciliation Amendment Act of 2015".

## Part A

Sec. 8042. Definitions.

For the purposes of this subtitle, the term:

(1) “Alley Rehabilitation Project” means the capital project designated as District Department of Transportation capital project CEL21C in the District’s capital improvement program.

(2) “Buyer agency” means a District department, office, or agency that places an order for goods or services pursuant to a memorandum of understanding.

(3) “Capital project” shall have the same meaning as provided in section 103(8) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.03(8)).

(4) “Chief Financial Officer” means the Chief Financial Officer of the District of Columbia.

(5) “Closing date” means the date that is 60 days after the termination date of a memorandum of understanding.

(6) “Memorandum of understanding” means an agreement between District departments, offices, or agencies to provide goods or services authorized pursuant to section 1(k)(1) of An Act To Grant Additional Powers to the Commissioners of the District of Columbia,



4281 and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-  
4282 301.01(k)(1).

4283 (7) “OCFO” means the Office of the Chief Financial Officer of the District of  
4284 Columbia established by section 424(1) of the District of Columbia Home Rule Act, approved  
4285 April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(a)).

4286 (8) “Seller agency” means a District department, office, or agency that receives a  
4287 transfer of funds to provide goods or services pursuant to a memorandum of understanding.

4288 (9) “Surplus capital funds” means unexpended capital project budget authority or  
4289 allotment from a closed or inactive capital project.

4290 Sec. 8043. Capture and use of District surplus capital funds.

4291 (a) After the termination date of a memorandum of understanding, the buyer agency shall  
4292 have 60 days to reconcile the accounting and budget data and close the capital project in the  
4293 system of accounting and reporting.

4294 (b)(1) After the closing date of the memorandum of understanding, the Office of Budget  
4295 and Planning within the OCFO shall notify the buyer agency and the seller agency of any issues  
4296 necessary to close the capital project in the project management system, including:

4297 (A) Any outstanding issues related to removal of any encumbrances and pre-  
4298 encumbrances:

4299 (B) The need for reconciliation of the capital project budget and expenditures  
4300 between the buyer agency and the seller agency; or

4301 (C) Needed accounting entries necessary to zero out the capital project budget  
4302 balance.

4303 (2) The buyer agency and the seller agency shall have 30 days to reconcile capital  
4304 expenditures to the advanced capital project budget and to make accounting adjustments to close  
4305 the capital project budget with no outstanding positive or negative balances remaining.

4306 (3) After the 30-day reconciliation period required by paragraph (2) of this  
4307 subsection, the OCFO, through its Director of Capital Improvements, shall adjust entries to  
4308 ensure the close of a capital project funded with District capital funds through a memorandum of  
4309 understanding, with no outstanding balances remaining.

4310 (c) Any surplus capital funds that the Director of Capital Improvements identifies  
4311 following the 30-day reconciliation period shall be transferred to the Alley Rehabilitation Project  
4312 and be made available for reprogramming to authorized capital projects.

4313 Sec. 8044. Transfer of surplus capital funds.

4314 (a) The OCFO, after 30-day notice to a department, office, or agency, whichever is  
4315 applicable, shall transfer to the Alley Rehabilitation Project the surplus capital funds with an  
4316 unexpended balance of more than \$250,000 for which no funds have been expended or  
4317 encumbered for 3 consecutive years, unless the agency for which the funds have been budgeted  
4318 or allotted has notified the Mayor, Council, and Chief Financial Officer, after receipt of the 30-  
4319 day notice, and certified that the department, office, or agency, whichever is applicable, intends  
4320 to use the funds to implement the capital project within 18 months of the certification and

4321 submits a satisfactory activity report to the OCFO describing the status of the implementation  
4322 within 180 days from the date of certification.

4323 (b) The OCFO shall have sole and uncontrolled discretion to determine whether the  
4324 activity report required by subsection (a) of this section is satisfactory. If the OCFO determines  
4325 that an activity report is unsatisfactory, the OCFO shall transfer the surplus capital funds to the  
4326 Alley Rehabilitation Project after 10-day notice to the agency.

4327 (c) The OCFO shall transfer to the Alley Rehabilitation Project surplus funds with an  
4328 unexpended balance of \$250,000 or less.

4329 Sec. 8045. Reporting requirements.

4330 The Chief Financial Officer shall submit a written report to the Mayor and the Council on  
4331 an annual basis identifying the District capital projects and amounts of surplus capital funds  
4332 transferred to the Alley Rehabilitation Project.

4333 Part B

4334 Sec. 8046. Repealer.

4335 Sections 1261 through 1265 of the Capital Project Support Fund Establishment Act of  
4336 2009, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code §§ 1-325.151 through 1-  
4337 325.155), are repealed.

4338 Sec. 8047. Applicability.

4339 This subtitle shall apply as of the effective date of the Fiscal Year 2016 Budget Support  
4340 Emergency Act of 2015, effective \_\_, 2015 (Enrolled version of Bill 21-\_\_).

4341 **SUBTITLE F. CAPITAL RESCISSIONS**

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4342 Sec. 8051. Short title.

4343 This subtitle may be cited as the “Fiscal Year 2016 Capital Rescission Act of 2015”.

4344 Sec. 8052. In fiscal year 2015, the Chief Financial Officer shall rescind or adjust capital  
 4345 project allotment as set forth in the following tabular array:

Owner Agency	Project No	Project Title	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	A0502CC	WARD 6 SENIOR WELLNESS CENTER	0300	(200.00)
BA0 - OFFICE OF THE SECRETARY	AB102C	ARCHIVES	0300	(1,000,000.00)
BD0 - OFFICE OF PLANNING	PLN37C	DISTRICT PUBLIC PLANS & STUDIES	0300	(280,946.04)
CE0 - DC PUBLIC LIBRARY	LB2CEC	LIBRARY IMPROVEMENTS	0300	(5,952.61)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	0300	(25,015.96)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	0300	(2,500,000.00)
	EB008C	NEW COMMUNITIES	0300	(10,000,000.00)
	EB409C	WASA NEW FACILITY	0300	6,000,000.00
ELC - EQUIPMENT LEASE - CAPITAL	ITI05C	MASTER EQUIPMENT LEASE - FA POLICE	0300	(7,887.12)
	MLP01C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(2,804.93)
	MLP02C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(62.00)
	MLP03C	MASTER EQUIPMENT LEASE - DC LIBRARY	0300	(621.15)
FA0 - METROPOLITAN POLICE DEPARTMENT	IT101C	INFORMATION TECHNOLOGY INITIATIVE	0300	(3,936.00)

## DRAFT COMMITTEE PRINT

FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB637C	E-15 COMPLETE MODERNIZATION/RENOVATION	0300	(71.16)
FL0 - DEPARTMENT OF CORRECTIONS	CEV01C	DOC ELEVATOR REFURBISHMENT	0300	(800,000.00)
GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS	GI010C	SPECIAL EDUCATION CLASSROOMS	0300	(500,000.00)
	MJ138C	JANNEY ES MODERNIZATION/RENOVATION	0300	(906.84)
	NJ837C	MCKINLEY HS- MODERNIZATION/RENOVATION	0300	(20,000.00)
	NX437C	ANACOSTIA HS MODERNIZATION/RENOV	0300	(32,800.00)
	PK337C	MARTIN LUTHER KING ES MODERNIZATION	0300	(1,000,000.00)
	SK120C	ATHLETIC FAC IMPROVEMENT	0300	(1,000,000.00)
	SK1ASC	ANNE GODING/SHERWOOD RC (PLAYGROUND)	0300	(55,000.00)
	T2241C	STUDENT INFORMATION SYSTEM- PCS	0301	(500,000.00)
	YY142C	BRUCE MONROE @ PARKVIEW ES MODERNIZATION	0300	5,762,564.83
	YY105C	PROSPECT ES MODERNIZATION/RENOVATION	0300	(2,963,250.00)
	YY141C	BROOKLAND ES MODERNIZATION/RENOVATION	0300	(10,268.26)
	YY146C	LASALLE ES MODERNIZATION/RENOVATION	0300	(75,142.98)
	YY150C	NALLE ES MODERNIZATION/RENOVATION	0300	(28,328.87)
	YY168C	LUDLOW-TAYLOR ES MODERNIZATION/RENOVATION	0300	(100,000.00)
	YY1MRC	MARIE REED ES MODERNIZATION/RENOVATION	0300	3,500,000.00
GF0 - UNIVERSITY OF THE DISTRICT OF COLUMBIA	UG706C	RENOVATION OF UNIVERSITY FACILITIES	0300	7,500,000.00
HA0 - DEPARTMENT OF PARKS AND	IVYCTC	IVY CITY COMMUNITY CENTER	0300	(1,925,000.00)
	QA501C	STODDERT RECREATION CENTER	0300	(16,482.17)

DRAFT COMMITTEE PRINT

RECREATION	RG001C	GENERAL IMPROVEMENTS - DPR	0300	(622,278.96)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	HI101C	DISTRICT OPERATED HEALTH INFORMATION	0300	(1,456,147.34)
	MPM02C	DISTRICT MMIS UPGRADE	0300	(7,363.83)
KA0 - DEPARTMENT OF TRANSPORTATION	AD310C	SHERMAN STREET	0300	(521.66)
	BR005C	H STREET BRIDGE	0300	20,000,000.00
	BR101C	PEDESTRIAN BRIDGE	0300	(4,000,000.00)
	SA306C	H ST/BENNING/K ST. LINE	0300	(31,000,197.00)
	SR097C	IVY CITY STREETSCAPES	0300	350,000.00
	EDL18C	NEW YORK AVENUE STREETSCAPES	0300	2,725,000.00
	ED202C	BANNEKER OVERLOOK STEPS	0301	500,000.00
TO0 - OFFICE OF THE CHIEF TECHNOLOGY OFFICER	ZA143C	DC GIS CAPITAL INVESTMENT	0300	(67,626.95)
<b>FY 2105 Rescission</b>				<b>(13,671,247.00)</b>

4346

4347 Section 8053. Applicability.

4348 This subtitle shall apply as of the effective date of the Fiscal Year 2016 Budget Support

4349 Emergency Act of 2015, effective \_\_, 2015 (Enrolled version of Bill 21-\_\_).

4350 **SUBTITLE G. 11<sup>TH</sup> STREET BRIDGE PARK FUNDING LIMITATIONS**

4351 Sec. 8061. Short title.

4352 This subtitle may be cited as the “11<sup>th</sup> Street Bridge Park Funding Limitations Act of

4353 2015”.

4354           Sec. 8062. (a) No funds allocated for the purpose of the 11th Street Bridge Park project  
4355   may be awarded or disbursed to any entity for purposes of construction until at least 50 percent  
4356   of the total projected construction costs of the project have been raised from private donors.

4357           (b) No District funds may be awarded or expended for the purpose of operations or  
4358   maintenance of the 11th Street Bridge Park.

4359           **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**  
4360   **AMENDMENTS AND TRANSFERS**

4361           **SUBTITLE A. LOCAL AND O-TYPE FUND AMENDMENTS**

4362           Sec. 9001. Short title.

4363           This title may be cited as the “Local and Special Purpose Revenue Fund Amendment Act  
4364   of 2015”.

4365           Sec. 9002. Fraud Prevention Fund.

4366           Section 126(n) of the District of Columbia Theft and White Collar Crimes Act of 1982,  
4367   effective December 1, 1982, (D.C. Law 4-164, D.C. Official Code § 22-3226.14), is repealed.

4368           Sec. 9003. Section 1082(b) of the Fiscal Year 2012 Budget Support Act of 2011,  
4369   effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-325.201), is amended as  
4370   follows:

4371           (a) Strike the phrase “solely for the purposes of maintaining and upgrading” and insert  
4372   the phrase “for capital expenses, or for operating expenses related to furniture, fixtures,  
4373   equipment, or maintaining or upgrading” in its place.

4374 (b) Strike the phrase “Council’s Chief Technology Officer” and insert the phrase  
 4375 “Secretary to the Council” in its place.

4376 **SUBTITLE B. DESIGNATED FUND TRANSFERS**

4377 Sec. 9041. Short title.

4378 This subtitle may be cited as the “Designated Fund Transfer Act of 2015”.

4379 Sec. 9042. Notwithstanding any provision of law limiting the use of funds in the accounts  
 4380 listed in the following chart, the Chief Financial Officer shall transfer from certified fund  
 4381 balances or revenues to the General Fund, and recognize as Fiscal Year 2016 local funds  
 4382 resources, the Fiscal Year 2015 amounts from the following funds:

<b>Designated Fund Balance - Overview</b>		
<b>Code</b>	<b>Fund Name</b>	<b>FY 15 Amount</b>
<b>Budget Reserves:</b>		
BD0	Historic Landmark District Protection Fund	1,250,000
	<b>Subtotal</b>	<b>1,250,000</b>
<b>Dedicated Taxes:</b>		
HT0	Nursing Homes Quality of Care Fund	4,078,020
HT0	Healthy DC Fund	22,991,412
HT0	Stevie Sellows	2,522,743
	<b>Subtotal</b>	<b>29,592,175</b>
<b>Purpose Restrictions:</b>		
AT0	OFT Central Collection Unit	13,000,000
CR0	OPLA - Special Account	500,000
CR0	Board of Engineers Fund	500,000
CR0	Corporate Recordation Fund	500,000
CT0	Cable Franchise Fees	5,500,000
EB0	H Street NE Retail Priority Area Grant Fund	2,750,000
FL0	Correction Trustee Reimbursement	4,170,231
FL0	Correction Reimbursement-Juveniles	922,547



HC0	State Health Planning and Development Fund	1,764,017
HC0	Pharmaceutical Protection Fund	2,841,368
HT0	Medicaid Collections-3rd Party Liability	3,905,187
KG0	Sustainable Energy Trust Fund	3,500,000
KG0	Energy Assistance Trust Fund	500,000
KG0	Soil Erosion and Sediment Control	1,233,451
KG0	Wetland and Stream Mitigation	1,000
KG0	Municipal Aggregation Program	329,665
KT0	Supercan Program	175,004
KT0	Solid Waste Disposal Cost Recovery	202,511
KV0	Motor Vehicle Inspection Station	3,478,223
SR0	Securities and Banking Regulatory Trust Fund	9,509,627
TC0	Public Vehicles-for-Hire Consumer Service Fund	1,938,003
	<b>Subtotal</b>	<b>57,220,834</b>
<b>TOTAL</b>		<b>88,063,009</b>

4383

4384           Sec. 9043. The Chief Financial Officer shall allocate the amount in section 9042 of this  
4385 act pursuant to the approved Fiscal Year 2016 Budget and Financial Plan.

4386           Sec. 9044. Applicability.

4387           This subtitle shall apply as of September 30, 2015.

## 4388           **TITLE X. FISCAL IMPACT AND EFFECTIVE DATE**

4389           Sec. 10001. Applicability.

4390           Except as otherwise provided, this act shall apply as of October 1, 2015.

4391           Sec. 10002. Fiscal impact statement.

4392           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
4393 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
4394 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

4395           Sec. 10003. Effective date.

4396           This act shall take effect following approval by the Mayor (or in the event of veto by the  
4397 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
4398 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
4399 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
4400 Register.