

**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 17, 2016  
**SUBJECT:** Report on Bill 21-669, the “Fiscal Year 2017 Budget Support Act of 2016”

The Committee of the Whole, to which Bill 21-669 was referred, reports favorably thereon with amendments and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

The purpose of Bill 21-669, the Fiscal Year 2017 Budget Support Act of 2016 (“FY 2017 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2017 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 21-669 is available in the various committee budget reports. The committee print attached to this report contains FY 2017 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

March 24, 2016	Chairman Mendelson introduces Bill 21-669 on behalf of the Mayor
April 1, 2016	Notice of Intent to Act on Bill 21-669 is published in the <i>District of Columbia Register</i>
April 4, 2016	Committee of the Whole holds a public briefing on Bill 21-667, Bill 21-668, Bill 21-669, and the Mayor's Fiscal Year 2016 Proposed Budget and Financial Plan
April 8, 2016	Notice of public hearings on Bill 21-669 is published in the <i>District of Columbia Register</i>
April 6 - 26, 2016	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2017 Budget Support Act of 2016 that were referred to them for comments
April 29, 2016	Committee of the Whole holds a public hearing on Bill 21-665, Bill 21-666, Bill 21-667, Bill 21-668, and Bill 21-669
May 4-5, 2016	Committees mark up and approve their budget recommendations for Fiscal Year 2017
May 17, 2016	Committee of the Whole marks up Bill 21-669

## III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 21-669 on behalf of the Mayor. On \_\_, 2016, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 21-669 and budget documents.

At the April 29, 2016 hearing on Bill 21-669, City Administrator Rashad Young 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 21-669.

## V. LIST OF WITNESSES

The Committee of the Whole held a public hearing on Bill 21-669 on April 29, 2016.<sup>1</sup> The witnesses were:

- |     |                        |   |
|-----|------------------------|---|
| 1.  | Ed Lazere              | Executive Director, DC Fiscal Policy Institute                                |
| 2.  | Monica Kamen           | Advocacy Coordinator, DC Fair Budget Coalition                                |
| 3.  | Margaret Singleton     | DC Chamber of Commerce  |
| 4.  | Ife Floyd              | Policy Analyst, Center on Budget and Policy Priorities                        |
| 5.  | Geraldine Talley Hobby | DC Injured Workers Committee, Civil Service Status, Fed/DC                    |
| 6.  | Kurt Runge             | Miriam's Kitchen  |
| 7.  | Judith Sandalow        | Executive Director, Children's Law Center                                     |
| 8.  | Rev. Karen Brau        | Senior Pastor, Luther Place Memorial Church and Washington Interfaith Network |
| 9.  | Rabbi Hannah Goldstein | Washington Interfaith Network   |
| 10. | William Lamar          | Senior Pastor, Metropolitan AME Church  |
| 11. | Jill Carmichael        | Co-Chair, The Way Home Campaign   |
| 12. | Jessie Knowles         | Member, The Way Home Campaign   |
| 13. | Rev. Laura Cunningham  | Member, The Way Home Campaign   |
| 14. | Stephanie Lyons        | Member, The Way Home Campaign   |
| 15. | Carol Dostert          | Public Witness  |
| 16. | Tom Nida               | Regional President, United Bank   |
| 17. | Ericka Taylor          | Executive Director, Fair Budget Coalition                                     |
| 18. | Elizabeth DeBarros     | Senior Advisor, DC Building Industry Association                              |
| 19. | Patricia Fugere        | Executive Director, Washington Legal Clinic for the Homeless                  |
| 20. | Eric Angel             | Executive Director, Legal Aid Society of the District of Columbia             |
| 21. | David Schwartzman      | DC Statehood Green Party  |
| 22. | Ilana Boivie           | Senior Policy Analyst, DC Fiscal Policy Institute                             |
| 23. | Barbara Elsas          | Public Witness  |
| 24. | Philip Fornaci         | Executive Director, Employment Justice Center                                 |
| 25. | Jennifer McLaughlin    | People for Fairness Coalition   |
| 26. | Michael A. Lee         | Public Witness  |
| 27. | Irene Holtzman         | Executive Director, FOCUS   |
| 28. | Erin Larkin            | Policy Attorney, DC Coalition Against Domestic Violence                       |
| 29. | Lauren Badger          | Anti-Hunger Program Associate, D.C. Hunger Solutions                          |
| 30. | Robert Warren          | People for Fairness Coalition   |

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<sup>1</sup> All of the Council's committees held hearings between April 6 and 26, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the FY 2017 BSA.

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| 31. | Jamie Kamlet     | Director of Advocacy and Communications,<br>Academy of Hope Adult Public Charter School |
| 32. | Sam Jewler       | Client and Community Organizer, Bread for the<br>City                                   |
| 33. | Alan Pemberton   | Public Witness  |
| 34. | Courtney Pladsen | Medical Access Director, Upper Cardozo<br>Clinic/Homeless Outreach, Unity Health Care   |
| 35. | Penelope Minter  | Public Witness  |
| 36. | George Jones     | Chief Executive Officer, Bread for the City   |
| 37. | John Hisle       | Public Witness  |
| 38. | Linda Moore      | Founder, Elise Whitlow Stokes Charter School  |
| 39. | Wendy Edwards    | Executive Director, Early Childhood Academy<br>Public Charter School                    |
| 40. | Russ Williams    | Center City Public Charter School   |
| 41. | Reginald Black   | Owner & CEO, Rahlowtistry   |
| 42. | Rashad Young     | City Administrator, Office of the City<br>Administrator                                 |

## VI. IMPACT ON EXISTING LAW

Bill 21-669 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 21-669 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the FY 2017 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 21-669.

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

**Subtitle A. Bonus and Special Pay Act of 2016:** authorizes the payment of performance based programs and special pay awards where an agency or entity meets the requirements of a performance based rewards program as provided in this subtitle.

**Subtitle B. BEGA Lobbyist Registration Fee and Nominee Review Period Amendment Act of 2016:** narrows the class of organizations that are deemed “nonprofit” for purposes of applying for discounted lobbyist registration fees; provides for a 90-day review period for nominees to the Board of Ethics and Government Accountability

**Subtitle C. Employees' Compensation Fund Clarification Amendment Act of 2016:** authorizes the use of the Employees' Compensation Fund for administrative expenses.<sup>3</sup>

**Subtitle D. Captive Insurance Agency Budget Technical Amendment Act of 2016:** exempts insurance companies from the premium tax for policies that they sell to the District; authorizes the Captive Insurance Agency (“Captive”) to insure District personal property assets; exempts the Captive from certified business enterprise requirements; authorizes the Captive Trust Fund to fund the purchase of insurance on behalf of the District.

**Subtitle E. Public-Private Partnerships Amendment Act of 2016:** expands the use of the Public-Private Partnerships (“P3”) Fund to cover any expenditure related to the P3 statute; exempts the P3 Office from title VII of the PPRA (related to bonds and other forms of security); makes other technical and clarifying amendments related to the P3 statute.

**Subtitle F. Office of the Inspector General Budget Process Clarification Amendment Act of 2016:** clarifies the budget submittal process for the Office of the Inspector General, continuing the requirement that the Mayor submit the Inspector General’s budget but authorizing the Mayor to identify to the Council where funds should be adjusted. Further, it permits the Council to modify the budget request. As originally submitted, the proposal would have removed the requirement that the Mayor submit the Inspector General’s budget unaltered, but this at odds with how the majority of inspector general offices (including at the federal level) submit their budgets for appropriations.

**Subtitle G. Use of Official Vehicles During and Emergency Amendment Act of 2016:** authorizes an employee in one of the enumerated agencies (which includes the Executive Office of the Mayor, the Office of the City Administrator, the Homeland Security and Emergency

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<sup>2</sup> Due to the size and complexity of the committee print of Bill 21-669, 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.

<sup>3</sup> Similar legislation has been enacted on a temporary basis; see Law 21-86, the Employees' Compensation Fund Clarification Temporary Act of 2015.

Management Administration, or the Metropolitan Police Department) to use an official vehicle for commuting and responding to emergency circumstances if a public emergency has been declared by the Mayor. The subtitle, as amended, limits the duration of the use and requires the Council to be notified within a specified time of any official vehicle use authorized pursuant to this subtitle.

**Subtitle H. Ballot Access Modernization Amendment Act of 2016:** authorizes the collection of electronic signatures for candidate nominations, referenda, initiatives, and recalls. This subtitle implements the provisions of Bill 21-193, the Ballot Access Modernization Amendment Act of 2015. The subtitle also repeals an unnecessary prohibition on the number of signatures the Board of Elections will accept for filing for an elected office. Currently regulations limit the number of signatures to two times the minimum number of signatures required for that office.

**Subtitle I. Mayor's Office of Community Affairs Limited Grant-making Amendment Act of 2016:** authorizes the Director of the Mayor's Office of Community Affairs to make a grant to address housing needs in the Caribbean community of the District.

**Subtitle J. New Columbia Statehood Commission Discretionary Funding:** provides for limited authorization for the members of the New Columbia Statehood Commission to spend Commission funds for discretionary expenses.

**Subtitle K. PDS Creditable Service Clarification:** clarifies the creditable service calculation for a small number (less than 10) of employees of the Public Defender Service for the District of Columbia hired between 1987 and 1991. A new interpretation unintentionally prevents the very limited number of employees from accessing the amount of pension funds they, prior to the new interpretation, were eligible to receive.

**Subtitle L. Equity in Survivor Benefits Clarification Amendment Act of 2016:** clarifies that for the purpose of the District's retirement benefits, a modification of any order regarding qualification for spousal retirement benefits shall not be effective if the modifications were made after the death of the employee.

**Subtitle M. Archives Eminent Domain Authority:** authorizes the Mayor to acquire several lots within square 3942 through eminent domain so that the land may be used as a site for the DC Archives.

**Subtitle N. Advisory Neighborhood Commissions Access to Sign-Language Interpreters Amendment Act of 2016:** establishes a pilot program for the provision of sign-language interpreters, upon request, for Advisory Neighborhood Commission meetings.

**Subtitle O. Historic District Fees:** waives the requirement to obtain a building permit for certain activities with regard to buildings in historic districts if the same requirement does not apply to a building in a non-historic district.

**Subtitle P. Constituent Services Expenditures Limit Amendment Act of 2016:** increases the annual expenditure cap on Councilmembers' constituent services funds from \$40,000 to \$60,000. The subtitle does not alter the amount of funds that may be deposited into a constituent services fund.

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

**Subtitle A. Qualified High Technology Company Boundary and Media Clarification Act of 2016:** adds "Qualified Digital Media Companies" – a newly defined term – to the class of business entities eligible for the existing Qualified High Technology Company interior renovation tax benefit administered by the Deputy Mayor for Planning and Economic Development ("DMPED").

**Subtitle B. Inaugural Celebration Amendment Act of 2016:** provides that extended hours for bars and restaurants for Inauguration Week 2017 shall be permitted from January 14 through January 22.

**Subtitle C. Reimbursable Detail Subsidy Program Amendment Act of 2016:** allows pub crawl organizers to participate in the reimbursable detail subsidy program (under which private businesses pay a partial subsidy for MPD officers who provide extra security).

**Subtitle D. Walter Reed Development Omnibus Amendment Act of 2016:** exempts Act 21-357, the Walter Reed Development Omnibus Act of 2016, from the competition and advance notice requirements of the Grant Administration Act.

**Subtitle E. Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Amendment Act of 2016:** repeals authority for the Deputy Mayor for Planning and Economic Development ("DMPED") to provide grants related to the Skyland project; adds authority for DMPED to provide grants as may be necessary to implement projects that are part of the New Communities Initiative, grants for the Washington Convention Center Marketing Fund, grants for the Washington DC Economic Partnership, and transfers to Events DC.

**Subtitle F. Office of Cable Television, Film, Music and Entertainment Clarification Amendment Act of 2016:** adds music to the purview of the office; repeals the Film DC Special Account Fund; renames the Cable Television Special Account as the OCTFME Special Account and amends the account to receive all revenues owed to the District from industries regulated under the Act.

**Subtitle G. DMPED Procurement Exemption Clarification Amendment Act of 2016:** exempts the McMillan redevelopment project from certain portions of the Procurement Practices Reform Act. This exemption, which was adopted on an emergency basis by the Council in April 2014 (*see* D.C. Act 21-366), restores an exemption from the District's procurement laws that existed for the National Capital Revitalization Corporation at the time it initiated the project. However, the exemption was lost when the project was transferred, mid-project, to DMPED. This subtitle corrects that oversight.

**Subtitle H. Business Improvement District Charter Renewal Amendment Act of 2016:** makes permanent a clarification to the charter renewal procedure for business improvement districts (“BIDs”), and repeals a sunset provision on the authorization of the BIDs. Both of these clarifications have been enacted previously on an emergency basis (*see* D.C. Act 21-227).

**Subtitle I. Pregnant Workers Protection:** amends the Protecting Pregnant Workers Fairness Act of 2014 to require an employer to make reasonable accommodations for an employee whose ability to perform the functions of the employee’s job are affected by a pre-birth complication.

**Subtitle J. Accrued Sick and Safe Leave Amendment Act of 2016:** clarifies the ability of employees and employers to waive statutory paid leave requirements through clear and unambiguous language in a collective bargaining agreement; makes a technical correction to effectuate the intent of the statute.

**Subtitle K. Adult Career Pathways Implementation:** amends the District of Columbia Unemployment Compensation Act to allow for alternative sources of funding for the Adult Career Pathways program.

**Subtitle L. Unemployment Benefits Modernization:** amends the District of Columbia Unemployment Compensation Act to amend the definition of when an individual is deemed unemployed; increases the maximum weekly unemployment insurance benefit to \$425; and provides for annual cost of living review by the Director of the Department of Employment Services; strikes an existing requirement that unemployment insurance benefits be paid by check.

**Subtitle M. TOPA Application-Assistance Pilot Program Amendment Act of 2016:** creates a one-year pilot program in FY 2017 that provides seed money for low- and moderate-income tenant organizations that have received a TOPA offer to pay for the legal and technical services and reports required to complete the First Right Purchase Assistance Program application process.

**Subtitle N. Retail Priority Area Amendment Act of 2016:** extends through FY 2017 the authorization to use the H Street Retail Priority Area Grant Fund to fund DMPED’s Great Streets activities; provides for quarterly allotments for Great Streets grants; expands the boundaries of two Retail Priority Areas in Ward 3.

**Subtitle O. Workforce Investment Council Membership Clarification Act of 2016:** directs the Mayor to appoint members of the WIC in accordance with federal law; requires that at least two members of the WIC must be members of the Council of the District of Columbia and appointed by the Chairman of the Council of the District of Columbia.

**Subtitle P. Commission on the Arts and Humanities Competitive Grants Act of 2016:** provides for grants in FY 2017 for a children’s museum in the Central Business District, a literary enrichment program in public schools and public charter schools, orchestral performances with supporting community engagement events, support for a downtown theatre operated by a nonprofit

organization, and support to an organization dedicated to preserving the history of African-American involvement in the American Civil War.

**Subtitle Q. Workers' Compensation Lien Reconciliation Amendment Act of 2016:** clarifies an unintentional discrepancy between two companion bills: the Health Care Benefits Lien Reduction Act of 2015 (D.C. Act 21-338), and the Workers' Compensation Benefits Lien Reduction Amendment Act of 2015 (D.C. Act 21-339). The amendment clarifies that in both instances the intent is to have the lien reduction apply to any recovery, whether through settlement or judgment in the injured person's case.

**Subtitle R. National Cherry Blossom Festival Fundraising Match Act of 2016:** directs \$250,000 to the Washington Convention and Sports Authority in FY 2017 to provide matching funds for private fundraising for the National Cherry Blossom Festival.

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

**Subtitle A. Placement of Orders with Governmental Entities Amendment Act of 2016:** authorizes the District to enter into contracts with the Washington Metropolitan Area Transit Authority ("WMATA") and the Metropolitan Washington Council of Governments ("MWCOG"), notwithstanding the requirements of the Procurement Practices Reform Act of 2010 ("PPRA"). This authorization is necessary to staff a public safety liaison to serve during rail operation hours.

**Subtitle B. Reciprocal Agreements for Mutual Aid Amendment Act of 2016:** authorizes the Mayor to contract with WMATA, MWCOG, local and regional authorities, and intergovernmental organizations for materials, supplies, equipment, work or services.

**Subtitle C. Executive Service Pay Schedule Amendment Act of 2016:** adjusts the Executive Service pay schedule and the Executive Service Public Safety pay schedule to reflect the current officeholders and the salaries that they are paid.

**Subtitle D. Anatomical Board Repeal Amendment Act of 2016:** repeals the Anatomical Board as this entity is no longer active.

**Subtitle E. Fire and Emergency Medical Services Chief Officers Service Longevity Amendment Act of 2016:** provides for a statutory calculation for service longevity pay, ensuring that the non-union employees of the Fire and Emergency Medical Services Department ("FEMS") – Battalion Chiefs, Deputy Chiefs, and Assistant Chiefs<sup>4</sup> – receive a certain percentage of their salary in longevity payment, with the percentage increasing based on the individual's years of service. The proposal will help to alleviate some of the pay compression that inhibits the ability of the Department to recruit internal candidates to take management positions. It will also help to correct a change made in 2012 that negatively impacted how Chief Officers' longevity payment was calculated.

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<sup>4</sup> The Chief of the Department is not addressed in the proposed subtitle.

**Subtitle F. Fire and Emergency Medical Services Presumptive Disability Implementation Amendment Act of 2016:** implements provisions of D.C. Law 19-311, the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2011, that create a rebuttable presumption as to disability or death for the types of cancers enumerated in the statute. This presumption, which is rebuttable based on non-occupational risk factors, entitles Department employees to the same rights and benefits that are applicable to any other job related injury, occupational disease, or line-of-duty death. Two provisions in D.C. Law 19-311 – the first creating a similar presumption for heart disease, hypertension, or respiratory disease, and the second creating a similar presumption for infectious or communicable diseases – remain subject-to-appropriations.

**Subtitle G. Fire and Emergency Medical Services Apparatus Maintenance Requirements and Training Program Establishment Amendment Act of 2016:** requires the FEMS Chief to establish, in conjunction with the University of the District of Columbia Community College, a civilian technical services program for maintenance of the Department's apparatus and devices. The subtitle also requires that Department apparatus comply with certification and preventative maintenance requirements of the National Fire Protection Association. This latter provision has implications for existing fleet maintenance staff as well as the technical services program established pursuant to this subtitle.

**Subtitle H. Emergency Medical Services Transport Contract Authority Amendment Act of 2016:** authorizes FEMS to contract with a private party for basic life support transport. The Council previously authorized this contract authority through emergency legislation (D.C. Act 21-154) and temporary legislation (D.C. Law 21-55). While the authorization is extended by inclusion in this subtitle, consistent with the Council's intent and the Department's stated purpose in contracting for these services, the authority to contract for these services is temporary. It is the Council's intent that contracting for these services is a temporary solution. The section also extends indemnification for the District to claims arising from third-party contractor's actions or inactions under the contract.

**Subtitle I. Pilot Community Paramedicine Program Establishment Act of 2016:** establishes a paramedicine task force to address gaps in EMS delivery, address the overwhelming 911 call volume, identify underutilized and over utilized EMS and standard medical resources, and establish a coordinated approach to EMS and healthcare in the District.

**Subtitle J. Office of the Attorney General Litigation Support Fund and Authority Clarification Amendment Act of 2016:** raises the monetary cap on the Litigation Support Fund from \$1.5 million to \$3 million. The subtitle also provides the OAG with personnel and procurement authority independent from the Executive. The Council previously enacted this clarification on an emergency basis (*see* D.C. Act 21-254). Similarly, the subtitle adds the Attorney General to the list of elected officials allowed to designate one employee while on leave to knowingly solicit, accept, or receive a political contributions. Finally, provisions in the subtitle require independent agencies to notify OAG of pending actions in which the independent agency is named or seeking to participate as *amicus curiae*.

**Subtitle K. Public Safety Technical Amendments Act of 2016:** makes two technical amendments to the Neighborhood Engagement Achieves Results Amendment Act of 2016 (D.C. Act 21-356). The first clarifies the annual report of the Office on Neighborhood Safety and Engagement is not exempt from Freedom of Information Act requirements. The second clarifies language regarding objects considered to be obstructing a driver's view. The subtitle also establishes rulemaking authority for the Office of Human rights to implement the provisions of the Fair Criminal Record Screening Act of 2014 (D.C. Law 20-152).

**Subtitle L. Cardiopulmonary Resuscitation Application Establishment Act of 2016:** requires the Office of Unified Communications to establish an emergency medical application to assist trained users in providing cardiopulmonary resuscitation.

**Subtitle M. Criminal Code Reform Commission Establishment Act of 2016:** establishes a separate agency for developing comprehensive recommendations for criminal code reform. This responsibility is currently under the Sentencing and Criminal Code Revision Commission. As provided by this subtitle, the newly-created Commission will allow for a more streamlined approach to preparing recommendations for criminal code reform, in consultation with an advisory group of stakeholders, for submittal to the Mayor and the Council no later than October 1, 2018.

**Subtitle N. DOC Inmate and Returning Citizen Assistance Act of 2016:** provides that of the annual 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 2016:** establishes the per-student funding formula for the 2016-2017 school year, including weighting factors for per-student allocations; provides that, beginning in FY 2020, District government agencies must provide services to DC Public Schools ("DCPS") and DC Public Charter Schools ("DCPCS") on an equitable basis.

**Subtitle B. DCPS Contracting and Spending Flexibility Amendment Act of 2016:** authorizes the OCFO to issue rules governing reallocations of amounts under \$10,000 within each DCPS school's non-personal services budget; authorizes travel-related expenditures for DCPS students.

**Subtitle C. Classroom Animal for Educational Purposes Amendment Act of 2016:** authorizes educational institutions to keep animals for educational purposes, provided that the Mayor issues a permit ensuring that the care and management of the animals complies with humane, sanitary, and safe treatment requirements. Similar legislation has been enacted on an emergency (A21-226) and temporary (L21-88) basis.

**Subtitle D. Healthy Tots Amendment Act of 2016:** links eligibility and participation in Healthy Tots to the percentage of children who are eligible for subsidized child care, rather than

eligible for free and reduced lunch; delays the compliance deadline for child development facilities from September 30, 2016 to September 30, 2017.

**Subtitle E. National External Diploma Program Amendment Act of 2016:** authorizes the Office of the State Superintendent of Education (“OSSE”) to recognize National External Diploma Program diplomas that were granted between January 1, 1980 and February 5, 2016.

**Subtitle F. Foster Care Extended Eligibility Amendment Act of 2016:** expands the childcare subsidy to cover 1) children with a parent under 21 years of age who is in foster care or is a ward of the District and is working or studying, 2) children in foster placement with a foster parent who is not working but has verifiable income; and 3) children in foster placement with a foster parent who is not working but is in job training or education. Similar legislation has been enacted on an emergency (A21-199) and temporary (L21-70) basis.

**Subtitle G. Public Charter School Advance Payment Adjustment Amendment Act of 2016:** adjusts the schedule of disbursements that the District makes to public charter schools and bifurcates the schedule between existing charters and new charters.

**Subtitle H. My School DC EdFest Sponsorship and Advertising Amendment Act of 2016:** directs sponsorship and advertisement revenue from the My School DC EdFest, an annual citywide public school fair, to the Common Lottery Board Fund, to be used to pay for the cost of EdFest.

**Subtitle I. School Immunization Requirements Enforcement Period Amendment Act of 2016:** extends the period during which a student can attend school without immunizations from 10 days to 20 days.

**Subtitle J. Public Charter At-Risk and Limited English Proficient Payment Adjustment Act of 2016:** provides that charters will receive the full annual equivalent of at-risk and limited English proficiency add-ons even for students who are not identified as falling into such categories until after the October enrollment audit.

**Subtitle K. Higher Education Licensure Commission Clarification Amendment Act of 2016:** provides a waiver from an existing naming prohibition for educational institutions providing online instruction to residents of the District through an online presence that is authorized to operate under a reciprocity agreement.

**Subtitle L. Traffic Control Investigation for New Schools Amendment Act of 2016:** requires the District Department of Transportation (“DDOT”) to complete traffic control investigations no later than 60 days after the first day students begin classes at new schools.

**Subtitle M. Excess School Facilities Existing Tenant Preference Amendment Act of 2016:** establishes two additional preferences for the right of refusal for excess school facilities: where the existing tenant is a nonprofit elementary or secondary school incorporated in the District or is a community-based, nonprofit arts education organization incorporated in the District, whose programming includes youth classes. The tenant must have continuously occupied all or

substantially all of the excess school facility or property since December 30, 2008 to receive the preference.

**Subtitle N. Education Ombudsman and Office of the Student Advocate Amendment Act of 2016:** amends certain reporting requirements and responsibilities of the Education Ombudsman and Student Advocate.

**Subtitle O. Education Reporting Requirements Act of 2016:** sets forth a number of reporting requirements for OSSE, the Public Charter School Board, the Deputy Mayor for Education, and DCPS.

**Subtitle P. University of the District of Columbia Fundraising Match Amendment Act of 2016:** creates a matching funds program whereby for every two dollars raised by the University of the District of Columbia from private donations, one dollar will be transferred to the University from non-departmental funds (up to \$1.5 million). This replicates previous matching programs that have proven successful in prior budget cycles. The subtitle further requires that, of the funds transferred, two-thirds be deposited in the University's endowment fund.

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

**Subtitle A. Temporary Assistance for Needy Families Time Limit Exemption and POWER Expansion Amendment Act of 2016:** amends the District of Columbia Public Assistance Act of 1982 to provide that TANF benefits for recipients who have received assistance for over 60 months will receive assistance payments in Fiscal Year 2017 at an amount equivalent to the Fiscal Year 2017 payment amount and provides that those who have received TANF benefits for more than 60 months will be ineligible for further benefit payments beginning in Fiscal Year 2018.

**Subtitle B. Department of Healthcare Finance and Department on Disability Services Medical Assistance Program Amendment Act of 2016:** approves a number of State Plan Amendments to the District's Medicaid program.

**Subtitle C. Contribution to Cost of Supports Fund Act of 2016:** establishes a new special fund, the Contribution to Cost of Supports Fund, to receive revenues from clients with intellectual or developmental disabilities who receive income, to defray the use of Department of Disability Services ("DDS") local funds for rent and other expenses; provides for DDS to publish policies on contribution collections within 60 days of the effective date of subtitle.

**Subtitle D. Persons with Intellectual and Developmental Disabilities Rent Increase Relief Act of 2016:** limits annual rent increases to 5% for housing units occupied by persons with developmental disabilities who receive services from the District through the Medicaid Home and Community-Based Services Waiver.

**Subtitle E. Commission on Health Equity Amendment Act of 2016:** repeals the Commission on Health Disparities Establishment Act of 2014; establishes the Commission on Health Equity, which shall meet at least quarterly and shall issue a formal and public city action

plan on health equity issues by March 1 of each year; provides that members of the Commission shall serve without compensation.

**Subtitle F. Teen Pregnancy Prevention Fund Amendment Act of 2016:** establishes the Department of Health (“DOH”) as the grant managing entity for the Teen Pregnancy Prevention Fund beginning in FY 2017.

**Subtitle G. Medicaid Hospital Outpatient Rate Supplement Act of 2016:** authorizes the District to continue, in FY 2017, to charge a fee on each hospital’s outpatient gross patient revenue, to be deposited in the nonlapsing Hospital Provider Fee Fund, 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, 2017.

**Subtitle H. Medicaid Hospital Inpatient Rate Supplemental Payment Act of 2016:** authorizes the District to continue, in FY 2017, to charge a fee on the inpatient net patient revenue of each hospital, to be deposited in the nonlapsing Hospital Fund, to be used to fund District Medicaid inpatient fee-for-service and MCO hospital services; includes a sunset date of September 30, 2017.

**Subtitle I. Program on Work, Employment, and Responsibility Amendment Act of 2016:** repeals an existing provision that would have established eligibility for POWER for single parents with children under 6 months of age beginning in FY 2017.

**Subtitle J. Youth Services Coordination Task Force:** establishes a Youth Services Coordination Task Force within the Office of the Deputy Mayor for Health and Human Services to study and report on the potential establishment of a single network of service providers for District youth. The task force is intended to look at inefficiencies in the current contracts for services addressing overlapping populations, and recommend a more coordinated system for addressing support services for District youth.

**Subtitle K. Supporting Normalcy, Empowering Foster Children, and Encouraging Placement with Siblings Amendment Act of 2016:** brings District into compliance with the federal law; requires that transition planning for foster children begin at age 14; authorizes the participation of foster children age 14 and older to participate in the development of their case plan; adopts the “reasonable prudent parenting standard;” requires that foster children receive credit reports at age 14; and amends the Code to encourage placement of foster children with siblings.

**Subtitle L. Not-For-Profit Hospital Corporation Certificate of Need Exemption Amendment Act of 2016:** exempts from the certificate-of-need requirement, for one year, the operation by the Not-For-Profit Hospital Corporation of an ambulatory care clinic in the Bellevue neighborhood of Ward 8.

**Subtitle M. Department of Health Functions Clarification Act of 2016:** authorizes DOH to issue grants during Fiscal Year 2017 for programs designed to improve food access

through mobile, vehicle-based farm stands; for a farmer's market subsidy to encourage farmer's markets in low-income communities; for programs supporting peer educators who work to provide sexual health information to youth; for non-profit pediatric dental clinics to provide oral health literacy and awareness programming; and for

**Subtitle N. District of Columbia Housing Authority Rehabilitation and Maintenance Fund Amendment Act of 2016:** establishes a nonlapsing special fund to be administered by the DC Housing Authority, to be used to repair and maintain public housing; directs \$15 million of resources within the Authority in FY 2016 and future unspent Local Rent Supplement Program ("LRSP") local funds at the end of each fiscal year into the fund; sets forth reporting requirements.

**Subtitle O. Local Rent Supplement Amendment Act of 2016:** provides that individuals that are categorized as returning citizens 62 years of age and over may be referred by the Mayor's Office on Returning Citizens Affairs to the Authority for the Local Rent Supplement Program for eligibility determination.

**Subtitle P. Flexible Rent Subsidy Pilot:** directs the Department of Human Services to create a pilot program to administer an intermediate-level housing subsidy for families receiving, or eligible to receive, Continuum of Care services. The subsidy would fall between the Rapid Rehousing Program and the Targeted Affordable Housing ("TAH") program. Like TAH, the subsidy would be long-term, rather than the four to twelve months typical of Rapid Rehousing assistance. Funds would be made available via a debit card and would subsidize rent for working-age households with evidence of attachment to the workforce. Annual assistance would be capped at the cost of an annual LRSP housing voucher. The Mayor shall issue rules to implement and establish further parameters for the program, including eligibility requirements, the maximum annual subsidy amount, and administrative details.

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

**Subtitle A. Wildlife Protection Rulemaking Amendment Act of 2016:** establishes authority for the Department of Energy and the Environment ("DOEE") to fine noncompliant wildlife control operators and to charge fees for the agency's wildlife protection activities.

**Subtitle B. Air Quality Rulemaking Amendment Act of 2016:** reestablishes (following an inadvertent repeal) DOEE's authority to issue fees and fines to enforce air pollution control laws.

**Subtitle C. Energy Innovation and Savings Amendment Act of 2016:** modifies the exemptions from the prohibition on commercial properties leaving doors or windows open when their air conditioning is running; specifically, removes the exemption for small stores, leaving in place exceptions for ingress and egress, restaurants and hotels (as applied to areas with access to outdoor seating), and loading docks; extends indefinitely the exemption of the Property Assessed Clean Energy administration contract from competition requirements.

**Subtitle D. Product Stewardship Program Establishment Act of 2016:** delays the implementation of a number of requirements related to electronics recycling program; harmonizes definitions related to compostable and recyclable items; repeals an existing requirement that plastic bags contain the phrase “Please Recycle This Bag.”

**Subtitle E. Clean and Affordable Energy Amendment Act of 2016:** extends, from 30 days to 90 days, the Sustainable Energy Utility (“SEU”) Board’s review period for the SEU’s annual performance and the delivery of the Board’s report to the Council; authorizes the use of the Sustainable Energy Trust Fund to support the Low Income Home Energy Assistance Program in the amount of \$1.2 million in FY 2017.

**Subtitle F. Streetcar Authorization Amendment Act of 2016:** repeals a sunset provision related to the streetcar program.

**Subtitle G. Publication of Safety Enhancement Recommendations Amendment Act of 2016:** requires the District Department of Transportation to publish on its website on or before January 1, 2017, and annually thereafter, a standard safety justification for the placement of Traffic Control Officers (“TCOs”), a list of the ten most dangerous intersections and a list of recommendations for improving safety at each site, and a justification for deployment of TCOs.

**Subtitle H. BID Parking Abatement Fund Amendment Act of 2016:** requires the annual allocation of \$120,000 to the Business Improvement District Parking Abatement Fund. The funds are used to cover the costs of permits to convert the curbside area used for car parking to an extended sidewalk.

**Subtitle I. Community Renewable Energy Credit Rate Clarification Amendment Act of 2016:** clarifies that the credit rate to be applied to subscribers of community renewable energy facilities shall be equal to the full retail distribution rate, including generation, transmission, and distribution charges.

**Subtitle J. Competitive Grants Act of 2016:** supports sustainability initiatives by authorizing grants for studying the costs and benefits of a publicly owned electric utility, studying levels of aircraft noise and the impact on District residents, providing clean team services to commercial corridors, and employing District youth in the cleaning of the Anacostia River.

**Subtitle K. Compost Drop-Off Program Act of 2016:** requires the Department of Public Works (“DPW”) to create a program for residents to drop-off their food waste for compost. Encouraging composting can help the District improve its diversion rate for waste diverted from landfills and incineration. This program is intended to aid in the District-wide composting collection program being developed by DPW.

**Subtitle L. Environmental Literacy Program Amendment Act of 2016:** makes permanent the environment literacy program at public elementary schools and public charter schools under OSSE. This program was previously established as a one-year pilot program (*see* section 4102 of D.C. Law 21-36).

**Subtitle M. Self-Service Exhaust Emissions Testing Pilot Program Amendment Act of 2016:** requires the Department of Motor Vehicles to create a pilot program to allow residents to use self-service inspection station kiosks for vehicle emissions inspection.

**Subtitle N. Civic Associations Public Space Permit Fee Waiver Amendment Act of 2016:** authorizes the Mayor to waive or reduce permit fees, except for application fees, for the use of public space, public rights of way, and public structures for projects that are conducted by civic associations.

**Subtitle O. Kingman Island and Heritage Island Planning and Feasibility Study Act of 2016:** sets forth parameters for a study funded in DOEE for the assessment and planning of an environmental education center; requires reporting of findings to the Council.

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

**Subtitle A. Subject to Appropriations Amendment Act of 2016:** 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 fully or partially funded in the budget and financial plan pursuant to the Fiscal Year 2017 Budget Request Act of 2016:

- Law 21-39, the Injured Worker Fair Pay Amendment Act of 2015
- Law 21-77, the Access to Emergency Epinephrine in Schools Act of 2015
- Law 20-249, the Notice Requirements for Historic Properties Amendment Act of 2014
- Act 21-388, the Made in DC Program Establishment Act of 2016
- Act 21-392, the Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016
- Act 21-341, the Higher Education Tax Exemption Act of 2015
- Law 19-78, the Vault Tax Clarification Amendment Act of 2011
- Law 20-79, the Campaign Finance Reform and Transparency Amendment Act of 2013
- Law 20-158, the Voter Registration Access and Ballot Modernization Amendment Act of 2013
- Act 21-378, the Transportation Reorganization Amendment Act of 2015
- Act 21-386, the Tree Canopy Protection Amendment Act of 2015
- Law 20-223, the Trash Compactor Tax Incentive Act of 2013<sup>5</sup>

**Subtitle B. Omnibus Budget Support Clarification Amendment Act of 2016:** eliminates the spending cap on the Kids Ride Free Metrorail subsidy program and extends it through FY 2017; extends into FY 2017 the Office of Planning's existing mandate to produce a cultural plan; makes a variety of technical and clarifying amendments to provisions of law enacted or amended through Law 21-36, the Fiscal Year 2016 Budget Support Act of 2015, and other

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<sup>5</sup> In addition to the acts amended in this subtitle, the committee elsewhere amends Act 21-356, the Neighborhood Engagement Achieves Results Act of 2015, and Law 19-311, the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2011, to reflect the partial funding of those acts.

budget-related legislation. Each of the provisions added to the introduced version of this subtitle has previously been enacted on an emergency or temporary basis.<sup>6</sup> Summaries of these amendments are provided here:

*Fiscal Year 2016 Budget Support Act Amendments:* repeals the expanded enforcement hours for certain parking meters in the District. An alternative proposal was adopted on an emergency basis to provide for more equitable meter pricing. Additionally, a clarification is made, at the request of the OCFO, to the provision governing funding for the Alley Rehabilitation Project.

*Fiscal Impact Statement Clarification:* clarifies when fiscal impact statements are required. D.C. Code § 1-301.47a currently requires fiscal impact statements for “all permanent bills and resolutions” before final adoption by the Council. The amendment clarifies that this requirement also applies to emergency and temporary acts.

*WMATA Operations Support Fund:* ensures that all taxes and fees associated with the so-called *Expedia* settlement are directed to a fund reserved for WMATA. In the fiscal year 2016 BSA the Council placed in the law a provision that made clear that the “full amount” of funds obtained from the case would be directed to this fund.

*Sustainable Solid Waste Management:* Repeals the subject to appropriations clause in place for D.C. Law 20-154, the Sustainable Solid Waste Management Amendment Act of 2015.

*Interest on Unpaid Vault Rent:* technical change, at the request of the OCFO, to the vault rent delinquency interest rate.

*Substitute Teacher Leave Accrual:* amends the Accrued Sick and Save Leave Act to exclude substitute teachers and substitute aides from coverage. This was raised as a concern by DCPS. The amendment also defines substitute teacher and substitute aide.

*Sustainable DC Effective Date:* repeals the subject to appropriations (S2A) clause in the Sustainable DC Omnibus Act of 2013 related to the imposition of civil fines for failure of a covered employer to offer at least one transportation benefit program.

*DC Auditor Summer Youth Employment Evaluation:* authorizes the DC Auditor to evaluate employment outcomes for the Summer Youth Employment Program to assess whether the program is meeting stated objectives.

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<sup>6</sup> Most of the provisions under this subtitle have previously been adopted on a temporary basis (*see*, D.C. Act 21-252, the Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015) as well as on an emergency basis (*see* D.C. Act 21-164, the Fiscal Year 2015 Budget Support Clarification Emergency Amendment Act of 2015; D.C. Act 21-202, the Fiscal Year 2016 Second Budget Support Clarification Emergency Amendment Act of 2015; and D.C. Act 21-292, the Fiscal Year 2016 Budget Support Clarification Emergency Amendment Act of 2016).

*Residency Requirement for “Kid Ride Free”*: modifies the eligibility requirements for the “Kids Ride Free” program to include a residency requirement. The fiscal year 2016 BSA expanded the existing by permitting the Mayor to establish a program that would subsidize the already reduced student fares for WMATA. This amendment clarifies the scope of that expansion.

*Board of Review of Anti-Deficiency Violations*: reinstates the authority of the Board of Review of Anti-Deficiency Violations (“BRADV”) to seek records, reports, and other materials in the course of investigating an alleged violation. In October 2014, improvements were made to the structure and duties of the Board (*see* D.C. Law 20-271). However, the statutory revisions unintentionally severed the Board’s ability to seek information. This amendment reinstates that authority.

*Repeal of Postmark Requirement*: repeals the requirement that a notice of tax delinquency on real property be delivered by postmark.

*Tax Haven Designation Repeal*: repeals the enumerated list of “tax havens” designated in section 7182 of the Fiscal Year 2016 Budget Support Act of 2015 (D.C. Law 21-36).

*Standard Deduction*: repairs the unintended consequence from increasing the standard deduction as recommended by the Tax Revision Commission and adopted by the Council last year. The increase to the standard deduction did not include a necessary adjustment to the applicable cost of living computation. This amendment repairs the original intent.

*Personal Exemption*: ensures implementation of the personal exemption phase-out as originally intended by the Council. The phase out of the personal exemption was added as part of the Fiscal Year 2015 Budget Support Act (D.C. Law 20-155). However, the Office of Tax and Revenue has determined that the 2015 law provide that the phase out would begin at \$152,000, not at \$150,000 as originally intended. This amendment clarifies that error.

*Food Policy Director*: repeals the subject-to-appropriations clause in D.C. Law 20-191 with regard to the appointment of a Food Policy Director to “promote equitable and sustainable food policies across the District that increase food access and build local food economy.”

*Traffic Adjudication Clarification*: clarifies that a violation that is established under the Unlawfully Parked Vehicles Act of 2015 is to be adjudicated pursuant to the District of Columbia Traffic Adjudication Act (the current language reads the violation is “of” that act, which is technically inaccurate). The amendment is purely technical in nature.

*Parking Meter Enforcement*: unifies the rates for all parking meters throughout the District. A component of the FY 2016 budget was expansion of enforcement of premium parking meters from 10 p.m. to midnight. However, enforcement of this modification, the

Council was later informed, was not possible. So a modification was made to, instead, unify the parking meter rate across the District by moving all meters to \$2.25 per hour.

*DCPS Capital Budget:* technical clarification to the capital rescission table in the fiscal year 2016 budget. The table was not updated to reflect an amendment moved during the Council's consideration and vote on the Budget Support Act.

*Primary Date Alteration:* repeals the subject to appropriations clause contained in D.C. Law 20-273, the Primary Date Alteration Amendment Act of 2014, as this law has been funded. Among the changes made by the permanent bill was the move of primary elections from the first Tuesday in April to the first Tuesday in June.

*Franchise Tax Clarification:* technical amendment to ensure that the tax rate for incorporated and unincorporated businesses (D.C. Official Code § 47-1807) corresponds to the tax rate in previously enacted tax triggers (D.C. Official Code § 47-181).. While the tax reform procedure and priority in D.C. Code § 47-181 is clear, a corresponding amendment to the franchise tax rate is necessary.

**Subtitle C. Combined Reporting Amendment Act of 2016:** provides that starting date on which publicly traded companies can take FAS 109 deductions for deferred assets and liabilities recognized upon the enactment of combined reporting shall coincide with the start of FY 2021.

**Subtitle D. Franchise Tax Return Due Date Amendment Act of 2016:** changes the income tax filing deadline for C-corporations from March 15 to April 15, or, for fiscal year filers, from the third month to the fourth month after the fiscal year ends.

**Subtitle E. College Savings Program Amendment Act of 2016:** establishes May 31 as the annual due date for the CFO's report on the college savings program.

**Subtitle F. Lottery Amendment Act of 2016:** harmonizes the structure of the D.C. Lottery in statute with actual practice; clarifies that the Board is a subordinate office within the Office of the Chief Financial Officer; makes a number of conforming amendments.

**Subtitle G. Office of Inspector General Audit Amendment Act of 2016:** establishes May 31 as the date by which the Inspector General must issue the annual audit of the District of Columbia Highway Trust Fund.

**Subtitle H. Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Amendment Act of 2016:** amends the designation of lots subject to the Parkside Parcel E and J real property tax abatement to make them consistent with the financing of the site. Identical legislation was enacted in 2015 on an emergency (Act 21-241) and temporary (Law 21-87) basis.

**Subtitle I. Schedule H Consumer Price Index Amendment Act of 2016:** clarifies the inflationary factors to be applied to the Schedule H tax benefit.

**Subtitle J. Tax Sale Resource Center and Deed Clarification Amendment Act of 2016:** removes references to the discontinued Tax Sale Resource Center and clarifies the amounts required to be paid to receive a tax deed. Identical legislation was recently enacted on an emergency (Act 21-373) and temporary (Act 21-383) basis.

**Subtitle K. Tax Revision Implementation Amendment Act of 2016:** adjusts revenue triggers in Title 47 of the District of Columbia Official Code to accelerate tax relief if sufficient revenues are certified in the September 2016 revenue estimate. An identical provision was enacted for the September 2015 revenue estimate in the FY 2016 BSA.

**Subtitle L. LIHTC Pilot Program Initiation Amendment Act of 2016:** delays for one year the availability of local Low Income Housing Tax Credits.

**Subtitle M. Fiscal Stabilization Reserve Account Amendment Act of 2016:** authorizes the CFO to use the Fiscal Stabilization Reserve Account for cash flow needs (with replenishment to occur in the same fiscal year), and for the annual advances made to DCPS and DCPCS (with replenishment to occur upon the effectiveness of the District's annual appropriation for the following fiscal year).

**Subtitle N. Special Budget Provision Reform Amendment Act of 2016:** repeals three stale or unnecessary provisions in Title 47: section 47-368.01, which allows for the sweep of O-type account balances by resolution instead of by act; section 47-368.02, which provides for the increase of certain fees or charges on or before January 1, 2003; and section 47-368.03, which formerly provided for a contingent reduction of gross receipts taxes upon a revenue certification, but which is no longer relevant due to the past repeal of the triggering provisions.

**Subtitle O. Vault Tax Expansion Amendment Act of 2016:** expands the exemption from vault rent to apply to any vault serving, in whole or in part, real property located at Square 287, Lot 812.

**Subtitle P. Walker Jones/Northwest One Unity Health Center Tax Abatement Amendment Act of 2016:** renews the real property tax abatement for the Unity Health Center located at Square 672, Lot 253, from the period of October 1, 2016, to September 30, 2021.

**Subtitle Q. Jubilee Ontario Apartments Real Property Tax Abatement Amendment Act of 2016:** extends the real property tax abatement for the affordable housing property located at Square 2565, Lot 805, to apply to the portion of the property that is used for nonresidential purposes (namely, a day care center); forgives real property and deed recordation taxes and related charges assessed against the property since March 27, 2015.

## **TITLE VIII. CAPITAL BUDGET**

**Subtitle A. Fiscal Year 2017 Capital Project Reallocation Approval Act of 2016:** authorizes the reallocation of approximately \$180 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. Capital Project Review and Reconciliation Amendment Act of 2016:** provides that Master Lease funding in dormant capital projects shall be redirected to the WMATA Fund project instead of to Alley Rehabilitation, because the latter project is not an eligible use of Master Lease funds.

**Subtitle C. Fiscal Year 2017 Capital Project Reallocation Approval Act of 2016:** rescinds approximately \$73 million from existing allotments in the Capital Improvements Plan for the purpose of balancing the capital portion of the FY 2017 Budget and Financial Plan.

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

**Subtitle A. Designated Fund Transfer Act of 2016:** orders the transfer fund balance or revenue from certain special funds in FY 2016, to be recognized as local funds revenue in the FY 2017 Budget and Financial Plan.

**Subtitle B. Fixed Cost Commodity Reserve Amendment Act of 2016:** caps the Fixed Cost Commodity Reserve account at \$5 million; provides that it may only be used for commodity overages and may not be swept for other purposes.

**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 21-669 as introduced.
2. Fiscal impact statement for Bill 21-669.
3. Legal sufficiency determination.
4. Committee print of Bill 21-669.

**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:** March 25, 2016  
**Subject:** Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, March 24, 2016. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2017 Budget Support Act of 2016", B21-669

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 specific subtitles as 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. LOBBYIST REGISTRATION FEE CLARIFICATION AMENDMENT ..... J  
SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT.....COW  
SUBTITLE D. DC GOVERNMENT AWARD OF INTEREST AND INTEREST RATE  
AMENDMENT..... COW, J  
SUBTITLE E. TORT NOTICE BUDGET TECHNICAL AMENDMENT..... J  
SUBTITLE F. DC CAPTIVE INSURANCE AGENCY BUDGET TECHNICAL AMENDMENT .BCRA  
SUBTITLE G. PUBLIC SECTOR WORKERS COMPENSATION BUDGET TECHNICAL  
AMENDMENT.....COW  
SUBTITLE H. DC SUBROGATION FUND ESTABLISHMENT ..... BCRA  
SUBTITLE I. PUBLIC-PRIVATE PARTNERSHIPS .....COW  
SUBTITLE J. OIG BUDGET PROCESS CLARIFICATION AMENDMENT .....FR, COW  
SUBTITLE K. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY .....COW  
SUBTITLE L. OFFICE OF LATINO AFFAIRS AMENDMENT..... HCD

**TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**

SUBTITLE A. QHTC DIGITAL MEDIA AND BOUNDARY AMENDMENT .....FR, COW  
SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT ..... BCRA  
SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT.....BCRA  
SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS .....COW  
SUBTITLE E. REAL ESTATE GRANT CLARIFICATION AMENDMENT .....COW  
SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT.....BCRA  
SUBTITLE G. DMPED PROCUREMENT PRACTICES REFORM ACT AMENDMENT.....COW  
SUBTITLE H. HOME PURCHASE ASSISTANCE PROGRAM LOAN AMENDMENT..... HCD

**TITLE III. PUBLIC SAFETY AND JUSTICE**

SUBTITLE A. COG MEMORANDUM OF UNDERSTANDING ESTABLISHMENT.....COW  
SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID AMENDMENT ..... J  
SUBTITLE C. MATERNAL MORTALITY REVIEW COMMITTEE ESTABLISHMENT..... J  
SUBTITLE D. PUBLIC SAFETY EXECUTIVE SERVICE PAY SCHEDULE AMENDMENT .. COW, J  
SUBTITLE E. CORRECTIONS INFORMATION COUNCIL BOARD AMENDMENT ..... J  
SUBTITLE F. DEPARTMENT OF FORENSIC SCIENCES LABORATORY FUND  
ESTABLISHMENT ..... J  
SUBTITLE G. ANATOMICAL BOARD REPEAL ..... BCRA  
SUBTITLE H. FIRE OFFICIALS’ SERVICE LONGEVITY AMENDMENT .....J, COW

**TITLE IV. PUBLIC EDUCATION**

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC  
SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT ..... E  
SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY AMENDMENT ..... E, COW  
SUBTITLE.C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES ..... E, HHS  
SUBTITLE D. HEALTHY TOTS ACT AMENDMENT ..... E  
SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM..... E  
SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY ..... E, HHS  
SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT ADJUSTMENT ..... E  
SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING..... E  
SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT PERIOD  
AMENDMENT ..... E, HHS  
SUBTITLE J. PUBLIC CHARTER SCHOOL AT RISK STUDENT AMENDMENT ..... E

**TITLE V. HEALTH AND HUMAN SERVICES**

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT.....HHS  
SUBTITLE B. DHCF MEDICAL ASSISTANCE PROGRAM AMENDMENTS.....HHS  
SUBTITLE C. CONTRIBUTION TO COST OF SUPPORTS FUND .....HHS  
SUBTITLE D. DDS MEDICAL ASSISTANCE PROGRAM AMENDMENT .....HHS  
SUBTITLE E. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES RENT  
INCREASE RELIEF ..... HCD, HHS  
SUBTITLE F. COMMISSION ON HEALTH EQUITY .....HHS  
SUBTITLE G. TEEN PREGNANCY PREVENTION FUND AMENDMENT .....HHS, COW  
SUBTITLE H. MEDICAL HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT.....HHS  
SUBTITLE I. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL PAYMENT .....HHS  
SUBTITLE J. PROGRAM ON WORK, EMPLOYMENT, AND RESPONSIBILITY (POWER)  
AMENDMENT .....HHS

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

SUBTITLE A. WILDLIFE PROTECTION RULEMAKING AUTHORITY ..... TE  
SUBTITLE B. BROWNFIELD REVITALIZATION ..... TE  
SUBTITLE C. AIR QUALITY ENFORCEMENT ..... TE  
SUBTITLE D. ENERGY INNOVATION AND SAVINGS..... TE  
SUBTITLE E. PRODUCT STEWARDSHIP PROGRAM ..... TE  
SUBTITLE F. DCSEU REPORTING TIMELINE..... TE  
SUBTITLE G. STREETCAR AUTHORIZATION AMENDMENT..... TE

**TITLE VII. FINANCE AND REVENUE**

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS .....COW  
SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS .....COW  
SUBTITLE C. COMBINED REPORTING AMENDMENT.....FR  
SUBTITLE D. SUPERMARKET TAX INCENTIVES CLARIFICATION.....FR

**TITLE VIII. CAPITAL BUDGET**

SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL.....COW  
SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION AMENDMENT.....COW

SUBTITLE C. REVERSE PAYGO REPROGRAMMING CLARIFICATION .....COW

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

SUBTITLE A. DESIGNATED FUND TRANSFERS .....COW

**Attachment**

cc: General Counsel  
Budget Director  
Legislative Services



OFFICE OF THE  
SECRETARY  
2016 MAR 24 PM 4:09

MURIEL BOWSER  
MAYOR

March 24, 2016

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 2017 Budget and Financial Plan, "A Fair Shot." Included in the submission, you will find the "Fiscal Year 2017 Budget Local Portion Adoption Act of 2016," the "Fiscal Year 2017 Budget Federal Portion Adoption and Request Act of 2016," the "Fiscal Year 2017 Budget Support Act of 2016," the "Fiscal Year 2016 Second Revised Budget Request Emergency Adjustment Act of 2016," the "Fiscal Year 2016 Second Revised Budget Request Temporary Adjustment Act of 2016," and the "Fiscal Year 2016 Second Revised Budget Request Emergency Declaration Resolution of 2016."

This is the first budget that recognizes our authority over our locally raised funds, and is submitted to you within a week of the historic decision in the Superior Court, upholding the lawfulness of the Budget Autonomy Act. Thus, for the first time, we will only be requesting that the federal payments portion of our budget be transmitted by the President to Congress for appropriations. Budgeting with our locally raised dollars is now within our legislative purview. With the help of pro bono counsel, the Council and I have demonstrated to the satisfaction of the judicial branch that this budget, upon enactment, may be transmitted to Congress on the same terms as other legislation, for passive review. I am delighted that the concerns of the Chief Financial Officer have been allayed and that he will not be appealing that decision.

This proposal is the District of Columbia's twenty-first consecutive balanced budget and invests in residents ensuring they have a *Fair Shot* at a quality education, a safe place to live and work, and a place to call home. This year I again heard from residents before I finalized my budget.

Through a series of budget engagement forums, residents shared their ideas and concerns about education, public safety, affordable housing, jobs and economic development, and health and human services. And from these discussions I finalized the FY 2017 Budget and Financial Plan.

The proposal before you reflects the ideas and priorities of District residents and delivers on the commitment of a **Fair Shot**. From again investing \$100 million in the Housing Production Trust Fund to allocating over \$1 billion in full-scale school modernizations, this budget is a plan that continues to move the District of Columbia forward. This proposal also maintains critical investments that make our communities safer and stronger and ensures our residents have access to job training programs that keep them on the pathway to the middle class. Below, I've highlighted a few of the key investments proposed in the FY 2017 Budget and Financial Plan.

### **High-Quality Education**

Rising enrollment in our traditional public and public charter schools, and increasing student achievement, demonstrate that school reform in the District is working. The FY 2017 Budget will ensure that DC continues to build on those gains, so that students and families have access to a high-quality education and academic experience including:

- \$75 million enhancement to support increased student enrollment and increasing the cost-per-student investment;
- \$1.3 billion for full-scale school modernizations (6-year Capital Improvements Program);
- \$3.6 million to improve licensed child-care facilities;
- \$1.6 million for early literacy grants;
- \$5.2 million of additional funding for University of the District of Columbia and University of the District of Columbia Community College
- \$5.2 million for summer programs and to provide adequate staffing and resources at recreation centers; and
- \$0.6 million to fully fund the Books from Birth program in our public libraries.

### **Safer, Stronger DC**

The District is making the necessary investments to keep our neighborhoods and residents safe. That includes more resources for EMS reform – beefing up the dispatchers and call takers at 911, and putting more ambulances out on the streets during peak times. In addition, the budget includes investments that keep DC on the cutting edge of crime prevention, and growing the Metropolitan Police Department to meet the needs of our growing city. The FY 2017 Budget will support a safer, stronger DC by investing:

- \$12 million for FEMS Third Party Ambulance Initiative;
- \$2.5 million for additional training, call takers and dispatchers at 911 answering centers
- \$8 million to improve the District's Crime Lab;

- \$2.5 million to hire nearly 60 additional police officers in the “Experienced Officer Training Program”;
- \$3.5 million for improved crime fighting technology;
- \$20.5 million for a new harbor patrol facility;
- \$5.9 million to Department of Corrections to assume operation of Correctional Treatment Facility (CTF);
- \$3.1 million for body-worn cameras and FOIA requests;
- \$750,000 for synthetic drug testing and Mortuary Unit Staff; and
- \$2.8 million to MPD for Civilianization of an additional 35 positions.

### **Affordable Housing**

The Bowser Administration is committed to producing, preserving and protecting affordable housing in the District of Columbia. The Mayor has committed another \$100 million contribution to the Housing Production Trust Fund in the FY 2017 Budget. This investment will support grants and loans to yield more affordable housing for families, across incomes. Additionally, this budget provides:

- \$15 million in DC Housing Authority budget will be used for deferred maintenance and rehabs;
- \$21.4 million for redevelopment of Walter Reed;
- \$50 million for redevelopment of St. Elizabeths; and
- \$53.5 million for New Communities.

### **Pathways to the Middle Class**

Maintaining a strong, diverse, and resilient District of Columbia requires that every resident has a fair shot, and a pathway to the middle class. That includes supporting our most vulnerable families and residents; job training that leads to real employment opportunities; and nurturing our small businesses. The FY 2017 Budget does this by providing:

- \$4.8 million for Marion Barry Summer Youth Employment Program to fully fund over 12,000 14-21 year olds and 1,000 22-24 year olds;
- \$4.5 million for Department of Employment Services DC Career Connections to continue programs started in 2016;
- \$1.5 million for approximately 20 Traffic Control Operators to advance Vision Zero; and
- \$887,000 to continue the Learn, Earn, Achieve and Prosper (LEAP) employment training program.

### **Health and Human Services**

Investing in the health and well-being of District residents remains a priority in this budget. Ensuring residents are able to provide for their families and connecting these families with valuable care and supportive programs when they need it most ensures they have a fair shot at success in the future. The FY 2017 budget includes:

- \$13.1 million for the next phase of the Homeward DC plan;
- \$10 million to support residents on TANF to protect the neediest families;
- \$9 million for improvements to the D.C. Access System;
- \$1.5 million to fund the Alternatives to Court Experience (ACE) and Parent and Adolescent Support Services (PASS) programs; and
- \$0.8 million for the Joyful Foods initiative.

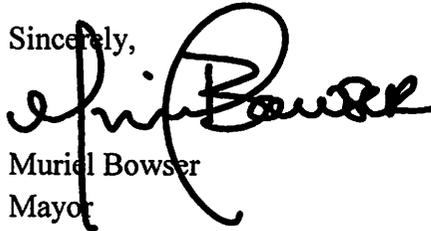
### **Government Operations**

Building a government that works for the residents of the District Columbia streamlines processes and improves efficiency. The FY 2017 budget supports these improvements by:

- Office of Contracting and Procurement enhancement of \$802,000 and 6 positions to improve how the government purchases;
- \$100,000 to study airplane noise, and \$100,000 to study anaerobic digester;
- WMATA operating subsidy fully funded at \$368.6 million and capital subsidy at \$831 million.
- Office of Risk Management, \$1.0 million and 11 positions to better manage and mitigate the District's liability; and
- \$1 million to advance Public Private Partnerships.

In a city as prosperous as ours, we can make all of these critical investments to ensure that our residents – whether they have lived here five generations or five minutes – have a fair shot.

Sincerely,



Muriel Bowser  
Mayor

  
Chairman Phil Mendelson  
at the request of the Mayor

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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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 2017 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2017 Budget Support Act of 2016".

**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 2016".

Sec. 1002. Bonus and special pay limitations.

(a) For fiscal year 2017, 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) Notwithstanding any other provision of law, no restrictions on the use of funds to  
12 support the categories of special awards pay (comptroller subcategory 0137) or bonus pay  
13 (comptroller subcategory 0138) shall apply in fiscal year 2017 to employees of the District of  
14 Columbia Public Schools who are based at a local school or who provide direct services to  
15 individual students.

16 (c) Notwithstanding this subtitle or any other provision of law, the Office of the Attorney  
17 General shall pay employees of the Office of the Attorney General all performance allowance  
18 payments to which they are entitled or may become entitled under any approved compensation  
19 agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the  
20 American Federation of Government Employees, Local 1403, AFL-CIO for the period from  
21 October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the  
22 requirements of section 857 of the District of Columbia Government Comprehensive Merit  
23 Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-

1 608.57), which requires the Attorney General’s performance management system to link pay to  
2 performance.

3 (d) Notwithstanding this subtitle of law, the Office of the Attorney General and the  
4 subordinate agencies shall pay their employees all performance allowance payments to which  
5 they are entitled

6 **SUBTITLE B. LOBBYIST REGISTRATION FEE CLARIFICATION**  
7 **AMENDMENT**

8 Sec. 1011. Short title.

9 This subtitle may be cited as the “Lobbyist Registration Fee Clarification Amendment  
10 Act of 2016”.

11 Sec. 1012. Section 227(b)(2) of the Board of Ethics and Government Accountability  
12 Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27,  
13 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.27(b)(2)), is amended to read as follows:

14 “(b)(2) The registration fee for lobbyists who lobby solely for nonprofit organizations  
15 shall be \$50. For purposes of this paragraph, the term “nonprofit organization” means an  
16 organization described in § 501(c)(3) of the Internal Revenue Code of 1986, approved October  
17 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).”.

18 **SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT**

19 Sec. 1021. Short title.

20 This subtitle may be cited as the “Employees’ Compensation Fund Clarification  
21 Amendment Act of 2016”.

1           Sec. 1022. Section 2342 of the District of Columbia Government Comprehensive Merit  
2 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
3 623.42), is amended as follows:

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

5                   (1) Paragraph (1) is repealed.

6                   (2) Paragraph (2) is amended by striking the phrase “expenses, except  
7 administrative expenses, authorized by this title or any extension or application thereof, except as  
8 otherwise provided by this subtitle or other statute.” and inserting the phrase “expenses incurred  
9 to implement the provisions of this act.” in its place.

10                  (3) Paragraph (3) is repealed.

11           (b) Subsection (b) is repealed.

12           Sec. 1023. The amendments made by section 1022(a) shall apply as of October 1, 2008.

13           **SUBTITLE D. DC GOVERNMENT AWARD OF INTEREST AND INTEREST**  
14 **RATE AMENDMENT**

15           Sec. 1031. Short title.

16           This subtitle may be cited as the “District of Columbia Government Award of Interest  
17 and Interest Rate Amendment Act of 2016”.

18           Sec. 1032. The District of Columbia Administrative Procedures Act, approved October  
19 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501, *et. seq.*), is amended by adding a new  
20 section 13 to read as follows:

21                   “Sec. 13. Award of interest in administrative adjudications.

22                   “Notwithstanding any other provision of law, unless a statute has expressly authorized or  
23 authorizes the award of interest to a prevailing party in an administrative adjudication, no pre-

1 award or pre-decision interest or post-award or post-decision interest may be ordered by any  
2 reviewing administrative hearing officer, administrative law judge, administrative hearing  
3 tribunal, or any court reviewing an award or decision arising from an administrative  
4 adjudication.”.

5 Sec. 1033. Section 28-3302(b) of the District of Columbia Official Code is amended to  
6 read as follows:

7 “(b) Interest, when authorized by law, on judgments or decrees against the District of  
8 Columbia, or its officers, or its employees acting within the scope of their employment, shall be  
9 at the rate described in subsection (c) of this section, provided that the rate shall not exceed 4%  
10 per annum.”.

11 **SUBTITLE E. TORT NOTICE BUDGET TECHNICAL AMENDMENT**

12 Sec. 1041. Short title.

13 This subtitle may be cited as the “Tort Notice Budget Technical Amendment Act of  
14 2016”.

15 Sec. 1042. Section 12-309 of the District of Columbia Official Code is amended as  
16 follows:

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

18 “(a-1) Except as provided in subsection (b) of this section, an action may not be  
19 maintained against an officer or employee of the District of Columbia government or an  
20 individual otherwise entitled to be defended and indemnified by the District of Columbia  
21 government for unliquidated damages to person or property unless, within six months after the  
22 injury or damage was sustained, the claimant, his agent, or attorney has given notice in writing to  
23 the Mayor of the District of Columbia of the approximate time, place, cause, and circumstances

1 of the injury or damage. A report in writing by the Metropolitan Police Department, in regular  
2 course of duty, is a sufficient notice under this section. This subsection shall not apply if the  
3 appointee, employee, or other individual was acting outside the scope of his or her employment  
4 or was in violation of any rule or regulation of his or her agency at the time the alleged damages  
5 were sustained. This subsection shall apply to any action which arises subsequent to the  
6 effective date of this subsection and which arose prior to the enactment of this subsection for  
7 which an action was not commenced prior to its enactment. A claimant whose injury or damage  
8 was sustained prior to the enactment of this subsection shall have six months after the enactment  
9 of this subsection to give the written notice required by this subsection.”

10 **SUBTITLE F. DC CAPTIVE INSURANCE AGENCY BUDGET TECHNICAL**  
11 **AMENDMENT**

12 Sec. 1051. Short title.

13 This subtitle may be cited as the “District of Columbia Captive Insurance Agency Budget  
14 Technical Amendment Act of 2016”.

15 Sec. 1052. The Captive Insurance Agency Establishment Act of 2008 Act, effective July  
16 18, 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.81, *et. seq.*), is amended as follows:

17 (a) Section 3 of the Act (D.C. Official Code § 1-307.82) is amended as follows:

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

19 “(b)(2) Provide insurance for District real property assets and District personal property  
20 assets.”

21 (2) Subsection (c) is amended to read as follows:

1           “(c) The liability of the Agency for medical malpractice liability, property insurance  
2 policies, and any other policies provided for pursuant to this act shall be limited to the fund in the  
3 Captive Trust Fund.”

4           (b) Section 4 of the Act (D.C. Official Code § 1-307.83) is amended as follows:

5           (1) Subsection (a)(1) is amended to strike the phrase “By delegation from the Mayor,  
6 to”.

7           (2) Subsection (a)(4A) is amended to strike the word “property”.

8           (c) Section 6 of the Act (D.C. Official Code § 1-307.85) is amended as follows:

9           (1) Subsection (i)(2A) is amended to strike the word “property”.

10          (d) Section 8 of the Act (D.C. Official Code § 1-307.87) is amended as follows:

11          (1) Subsection (b)(4A) is amended to read as follows:

12          “(4A) Establish procedures for the offering of insurance for District real property assets  
13 and District personal property assets.”

14          (e) Section 11 of the Act (D.C. Official Code § 1-307.90) is amended as follows:

15          (1) Subsection (a)(2) is amended to read as follows:

16          “(2) Insurance for the benefit of the District for District real property assets and District  
17 personal property assets consistent with coverage offered in the market.”

18          (f) Section 12 of the Act (D.C. Official Code § 1-307.91) is amended to add a new  
19 subsection (b)(7) to read as follows:

20          “(7) The purchase of insurance on behalf of the District of Columbia government. This  
21 paragraph shall apply to payments made from the Fund on or after December 1, 2014.”

22          (g) Section 13 of the Act (D.C. Official Code § 1-307.92) is amended to read as follows:

23          “The Agency shall not be subject to

1 (a) The Small, Local, and Disadvantaged Business Enterprise Development and  
2 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code  
3 § 2-218.01 *et seq.*);

4 (b) The District of Columbia Procurement Practices Act of 1985, effective February  
5 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), or

6 (c) The District of Columbia Government Comprehensive Merit Personnel Act of  
7 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*)”.

8 Sec. 1053. Section 40 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat.  
9 1063; D.C. Official Code § 31-2502.40), is amended to add a new subsection (c) to read as  
10 follows:

11 “Any agent or broker engaged by the District of Columbia government to procure  
12 insurance on its behalf shall be exempt from the requirement of subsection (a) to pay the 2 per  
13 centum of the amount of the gross premiums upon all kinds of policies procured by him on  
14 behalf of the District of Columbia government. To claim this exemption, the agent or broker  
15 must include a statement identifying for each item enumerated in the affidavit required by  
16 subsection (a) as to the portion allocated to policies procured on behalf of the District of  
17 Columbia government. Except as otherwise stated, nothing in this subsection shall be construed  
18 to exempt any agent or broker from any other requirement imposed by this section.”

19 **SUBTITLE G. PUBLIC SECTOR WORKERS COMPENSATION BUDGET**

20 **TECHNICAL AMENDMENT**

21 Sec. 1061. Short title.

22 This subtitle may be cited as the “Public Sector Workers’ Compensation Budget  
23 Technical Amendment Act of 2016”.

1           Sec. 1062. Title XXIII of the District of Columbia Government Comprehensive Merit  
2 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
3 601.01, *et. seq.*) is amended as follows:

4           (a) Section 2302a of the Act (D.C. Official Code § 1-623.02a) is amended to read as  
5 follows:

6           “The Mayor shall administer and decide all questions under this chapter. The Mayor may  
7 delegate to the City Administrator any of the powers conferred on him or her by this chapter,  
8 except disability compensation hearings and adjudication powers, pursuant to section 2328.”.

9           (b) Section 2324 of the Act (D.C. Official Code § 1-623.24) is amended as follows:

10          (1) Subsection (a-3)(2) is amended as follows:

11          (A) Striking the phrase “to the Department of Employment Services” and inserting the  
12 phrase with “before the Office of Administrative Hearings.” in its place.

13          (B) Striking the phrase “and under section 2328” at the end of this subsection and  
14 inserting a period after the word “section”.

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

16          (A) Striking the reference to “section 2328(a)” and inserting the reference to “section  
17 2328(b)” in its place.

18          (B) Striking the phrase “a Department of Employment Services Administrative Disability  
19 Compensation” and inserting the phrase “an Office of Administrative Hearings” in its place.

20          (C) Striking all references to the phrase “Corporation Counsel” and inserting the phrase  
21 the “Attorney General” in its place.

22          (D) Striking the phrase “Office of Personnel” and inserting the phrase “Office of Risk  
23 Management” in its place.

1 (E) Striking the phrase “Within 30 days after the hearing,”.

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

3 “(2) In conducting the hearing, the Office of Administrative Hearings Administrative  
4 Law Judge is bound by the provisions of the District of Columbia Administrative Procedures  
5 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501, *et. seq.*), the Office  
6 of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-  
7 76; D.C. Official Code § 2-1831.01, *et. seq.*) and any rules promulgated for such hearings.”.

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

9 “(3) The Mayor or his or her designee shall begin payment of any prospective  
10 compensation awarded to the claimant within 30 days after the date of an order from an Office of  
11 Administrative Hearings Administrative Law Judge.”.

12 (5) New subsections (b)(4), (5) and (6) are added to read as follows:

13 “(4) The Mayor or his or her designee shall not be required to pay any retroactive  
14 compensation awarded by an Office of Administrative Hearings Administrative Law Judge to a  
15 claimant until 30 days after the exhaustion of all available appeals.

16 “(5) Notwithstanding subsection (b)(4) of this section, This limitation notwithstanding,  
17 the Mayor or his or her designee may elect, in his or her sole discretion, to pay a portion of any  
18 retroactive compensation award without waiving:

19 “(A) The right to withhold the remainder of the retroactive compensation award  
20 until 30 days after the exhaustion of all appeals;

21 “(B) Any legal defense or argument that may be available to the Mayor or his or  
22 her designee on appeal; or

1           “(C) The right to recover the retroactive compensation payment if the District of  
2 Columbia Government prevails on appeal.

3           “The decision whether to pay a portion of a retroactive compensation award is not subject  
4 to appeal pursuant to subsection (b) of this section, nor pursuant to section 2328 of the Act (D.C.  
5 Official Code § 1-623.28).

6           “(6) The Mayor or his or her designee shall not be required to pay pre-award or post-  
7 award interest on any portion of any award of compensation any order of final decision pursuant  
8 to an order from an Office of Administrative Hearings Administrative Law Judge in any  
9 proceeding arising pursuant to this subchapter.”.

10           “(7) Subsection (f) is amended by striking the phrase “a Department of Employment  
11 Services Disability Compensation” and inserting the phrase “an Office of Administrative  
12 Hearings” in its place.”.

13           (f) Section 2327 of the Act (D.C. Official Code § 1-623.27) is amended as follows:

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

15           “(2) If a person utilizes the services of an attorney-at-law in the successful prosecution of  
16 his or her claim under section 2324(b) of the Act (D.C. Official Code § 1-623.24(b)) or before  
17 any court for review of any action, award, order, or decision, the claimant shall be entitled to  
18 apply in the manner described in subsection (e)(1) for an award, in addition to the award of  
19 compensation, of a reasonable attorney’s fee, not to exceed 20% of the actual retroactive benefit  
20 secured and without regard to any costs or expenses incurred by the attorney-at-law or the  
21 claimant in connection with the hearing, which fee award shall be paid directly by the Mayor or  
22 his or her designee to the attorney for the claimant in a lump sum within 30 days after the  
23 exhaustion of all appeals of the order awarding attorney’s fees.”.

1 (2) Subsection (e)(1) is amended to read as follows:

2 “(e)(1)(A) The Mayor or his or her designee shall establish a procedure for applying for  
3 an attorney’s fee award.

4 “(B) The procedure shall require the claimant to request the attorney’s fee award  
5 on forms designated by the Mayor or his or her designee.

6 “(C) The claimant shall submit the request for an attorney’s fee award to the head  
7 of the office designated by the Mayor as responsible for the administration, organization, and  
8 exercise of all of the powers, duties, and functions concerning the District of Columbia  
9 government’s Public Sector Workers’ Compensation Program.

10 “(D) Before review under section 2328(b) of the Act (D.C. Official Code § 1-  
11 623.28(b)), a claimant not satisfied with the decision resulting from the request for an attorney’s  
12 fee award is entitled, on request made within 30 days after the date of the issuance of the  
13 decision, to a hearing on the claim before an Office of Administrative Hearings Administrative  
14 Law Judge.

15 “(E) Claimant shall not be entitled to any attorney’s fee incurred in connection  
16 with a request for an attorney’s fee to the Mayor or his or her designee, a request for a hearing  
17 before an Office of Administrative Hearings Administrative Law Judge from the decision by the  
18 Mayor or his or her designee on the request for an attorney’s fee award, or from the review of the  
19 decision of the Office of Administrative Hearings Administrative Law Judge under section  
20 2328(b) of the Act (D.C. Official Code § 1-623.28(b)).”.

21 (g) Section 2328 of the Act (D.C. Official Code § 1-623.28) is amended as follows:

22 (1) Subsection (a) is repealed.

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

1 (A) Striking the word “action” and inserting the phrase “decision or order” in its  
2 place.

3 (B) Striking all references to the word “Director” and inserting the phrase “Office  
4 of Administrative Hearings Administrative Law Judge” in its place.

5 **SUBTITLE H. DC SUBROGATION FUND ESTABLISHMENT**

6 Sec. 1071. Short title.

7 This subtitle may be cited as the “District of Columbia Subrogation Fund Establishment  
8 Act of 2016”.

9 Sec. 1072. Title 1, Chapter 3, Subchapter XI is amended to add a new part JJ (D.C.  
10 Official Code § 1-325.351), which reads as follows:

11 “(a) There is established as a non-lapsing fund the Subrogation Fund (“Fund”), which  
12 shall be used for the purposes set forth in subsection (b) of this section. All funds deposited in  
13 the Fund, and any interest thereon, shall not revert to the unrestricted fund balance of the General  
14 Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be  
15 continually available for the uses and purposes set forth in subsection (b) of this section without  
16 regard to fiscal year limitations, subject to authorization in an approved budget and fiscal plan.

17 (b) The Fund shall be used first to pay for the subrogation costs and expenses incurred by  
18 the Chief Risk Officer, which costs shall include:

19 (1) The hiring of staff;

20 (2) The administration of the day-to-day operations of the unit dedicated by the Chief  
21 Risk Officer to undertake the District of Columbia government’s subrogation efforts;

22 (3) The costs and expenses of the representation of the District of Columbia in  
23 subrogation proceedings; and

1 (4) The cost of the management, administration, and operation of the Fund.  
2 Any remaining funds may be used to repair, restore, or replace damaged District of  
3 Columbia government real or personal property.

4 (c) The Fund shall be administered by the Chief Risk Officer.

5 (d) There shall be deposited into the Fund all funds recovered in subrogation against the  
6 individual responsible for loss to District of Columbia government real and personal property.

7 (e) Nothing in this section shall be construed to prohibit or limit the appropriation of  
8 additional funds from the revenues of the District of Columbia government for the uses and  
9 purposes set forth in this section.

10 (f) For the purposes of this section, the term:

11 (1) "Fund" means the Subrogation Fund established by this section.

12 (2) "Chief Risk Officer" means the head of the Office of Risk Management as  
13 established by Reorganization Plan No. 1 of 2003, effective December 15, 2003 (D.C. Official  
14 Code, subchapter XVIII, Chapter 15, Title 1).

15 (3) "Subrogation" means the right of the District of Columbia government to pursue a  
16 third party who caused a loss to the District of Columbia government by damage District of  
17 Columbia government real or personal property.

18 **SUBTITLE I. PUBLIC-PRIVATE PARTNERSHIPS**

19 Sec 1081. Short title.

20 This subtitle may be cited "Public-Private Partnerships Amendment Act of 2016".

21 Sec. 1082. The Public-Private Partnerships Act of 2014, effective March 11, 2015 (D.C.  
22 Law 20-228; D.C. Official Code § 2-271.01 *et seq.*) is amended as follows:

1 (a) Section 105(c) (D.C. Official Code § 2-272.04(c)) is amended by striking the phrase  
2 “sections 107 and 109” and inserting “this act” in its place.

3 (b) Section 108(f) (D.C. Official Code § 2-273.03(f)) is amended by striking the phrase  
4 “response period” and inserting “evaluation period as part of the report submitted to Council  
5 pursuant section 114” in its place.

6 (c) Section 109(b)(2) (D.C. Official Code § 2-273.04(b)(2)) is amended by striking the  
7 phrase “the unsolicited proposal” and inserting “notice of the favorable evaluation of the  
8 unsolicited proposal” in its place.

9 Sec. 1083. Section 105(c)(19) of the Procurement Practices Reform Act of 2010,  
10 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(19)), is amended by  
11 striking the phrase “sections 202, 415, and title VII and X” and inserting “sections 202 and 415”  
12 in its place.

### 13 **SUBTITLE J. OIG BUDGET PROCESS CLARIFICATION AMENDMENT**

14 Sec. 1091. Short title.

15 This subtitle may be cited as the “Office of the Inspector General Budget Process  
16 Clarification Amendment Act of 2016”.

17 Sec. 1092. Section 208(a)(2)(A) of the District of Columbia Procurement Practices Act  
18 of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-  
19 301.115a(a)(2)(A)), is amended to read as follows:

20 “(2) The annual budget for the Office shall be adopted as follows:

21 “(A) (i) The Inspector General shall prepare and submit to the Mayor a budget  
22 request for each fiscal year by such time as the Mayor shall designate. The Inspector General’s

1 budget request shall specify the aggregate amount of funds requested for such fiscal year for the  
2 operations of the Office and shall include such detail as may be requested by the Mayor.

3 “(ii) The Mayor shall include the Mayor’s requested budget for the Office  
4 as a separate line item in the Mayor’s budget submission provided pursuant to section 442(a)(1)  
5 of the District of Columbia Home Rule Act, effective December 24, 1973 (87 Stat. 798; D.C.  
6 Official Code § 1-204-42(a)(1)). If the budget request of the Mayor for the Office is different  
7 than the budget request submitted by the Inspector General pursuant to sub-subparagraph (i) of  
8 this subparagraph, the Mayor shall include with the Mayor’s submission of the budget under  
9 section 442 of the District of Columbia Home Rule Act, effective December 24, 1973 (87 Stat.  
10 798; D.C. Official Code § 1-204-42), a separate statement of the budget request submitted by the  
11 Inspector General pursuant to sub-subparagraph (i) of this subparagraph.

12 “(iii) The Council shall include in the budget adopted pursuant to section  
13 446 of the District of Columbia Home Rule Act, effective December 24, 1973 (87 Stat. 801;  
14 D.C. Official Code § 1-204-46), a separate line item setting forth the budget for the Office.”.

15 **SUBTITLE K. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY**

16 Sec. 1101. Short title.

17 This subtitle may be cited as the “Use of Official Vehicles During an Emergency  
18 Amendment Act of 2016”.

19 Sec. 1102. Section 3602 (a) of the Restrictions on the Use of Official Vehicles Act of  
20 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204), is amended  
21 by striking the phrase “and (7) at the discretion of the Director of the Department of Corrections,  
22 an officer or employee of the District of Columbia Department of Corrections who resides in the  
23 District and is on call 24 hours a day.” and inserting the phrase “(7) at the discretion of the

1 Director of the Department of Corrections, an officer or employee of the District of Columbia  
2 Department of Corrections who resides in the District and is on call 24 hours a day; and (8) an  
3 officer or employee authorized by the Mayor, City Administrator, director of the Homeland  
4 Security and Emergency Management Agency, or Chief of the Metropolitan Police Department  
5 due to unusual circumstances that present an imminent threat to the health, safety, or welfare of  
6 the public or property, an emergency, or other compelling operational concerns that make such  
7 transportation important to the conduct of official business; provided, that such authorization  
8 shall be effective for not more than 15 days unless the Mayor, City Administrator, director of the  
9 Homeland Security and Emergency Management Agency, or Chief of the Metropolitan Police  
10 Department determines in writing that the imminent threat, the emergency, or compelling  
11 operational concerns extend or may extend for a period in excess of 15 days, in which case the  
12 authorization may be extended for a period of not more than 75 additional days.” in its place.

13 **SUBTITLE L. OFFICE ON LATINO AFFAIRS AMENDMENT**

14 Sec. 1111. Short title.

15 This subtitle may be cited as the “Office on Latino Affairs Amendment Act of 2016”.

16 Sec. 1112. Chapter 13 of Title 2 is amended by striking the phrase “Office on Latino  
17 Affairs” wherever it appears and inserting “Mayor’s Office on Latino Affairs” in its place.

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

19 **SUBTITLE A. QHTC DIGITAL MEDIA AND BOUNDARY AMENDMENT**

20 Sec. 2001. Short title.

21 This subtitle may be cited as the “Qualified High Technology Company Boundary and  
22 Media Clarification Act of 2016.”

23 Sec. 2002. Title 47 of the District of Columbia Official Code is amended as follows:

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(a) Subsection 47-1817.01 is amended as follows:

(1) Paragraph 5(B) is amended to read as follows:

“(B) Qualified High Technology Company” shall not include:

(i) An individual or entity that derives 51% or more of its gross revenues from the operation in the District of:

(I) An on-line or brick and mortar retail store;

(II) An electronic equipment facility that is primarily occupied, or intended to be occupied, by electronic and computer equipment that provides electronic data switching, transmission, or telecommunication functions between computers, both inside and outside the facility; or

(III) A building or construction company.

(ii) A professional athletic team, as defined in § 47-2002.05(a)(3); or

(iii) A business entity located in the DC Ballpark TIF Area as defined by [§2-1217a (a)] provided, the restriction in this sub sub paragraph shall expire as of September 30, 2020.

(b) Subsection 47-4665(a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Qualified High Technology Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital Media Company” in its place.

(2) Paragraph (3) is amended by striking the phrase “Qualified High Technology Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital Media Company” in its place.

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

1 “(7A)(A) "Qualified Digital Media Company" means:

2 (i) An individual or entity organized for profit and leasing or owning an office in the  
3 District of Columbia;

4 (ii) Having 2 or more qualified employees, as defined in § 47-1817.01(4) in the District;  
5 and

6 (iii) Deriving at least 51% of its gross revenues earned in the District from media  
7 production, and whose revenue is derived from the sale or advertising of original and new  
8 content that is produced within a leased or owned facility inside the District of Columbia. The  
9 new and original content must be transmitted digitally via digital transmission, electromagnetic  
10 spectrum and/or internet streaming. The eligible premise must include permitted production  
11 space utilized by the media production company specifically for the creation of original and new  
12 content.

13 (B) “Qualified Digital Media Company” shall not include:

14  
15 (i) A professional athletic team, as defined in § 47-2002.05(a)(3); or

16 (ii) An individual or entity that derives 51% or more of its gross revenues from the  
17 operation in the District of:

18 (I) An on-line or brick and mortar retail store;

19 (II) An electronic equipment facility that is primarily occupied, or intended to be  
20 occupied, by electronic and computer equipment that provides electronic data switching,  
21 transmission, or telecommunication functions between computers, both inside and outside the  
22 facility; or

23 (III) A building or construction company.

1 (4) Paragraph (9) is amended as follows:

2 “(9) "Tenant" means a Qualified High Technology Company or a Qualified Digital  
3 Media Company that executes a lease or a sublease for at least 50,000 square feet of net rentable  
4 area of eligible premises within the District, including the “DC Ballpark TIF Area” as defined in  
5 [§ 2-1217.12], for a minimum term of 12 years, under which the tenant, or a directly related  
6 entity, occupies and uses the eligible premises, or will occupy and use the eligible premises, on  
7 or after the lease commencement date.”

8 **SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT**

9 Sec. 2011. Short title.

10 This subtitle may be cited as the “Inaugural Celebration Amendment Act of 2016”.

11 Sec. 2012. Section 25-723(e)(1) of the D.C. Official Code is amended by striking the  
12 phrase “designated Inaugural Week.” and inserting the phrase “designated “Inaugural Week”;  
13 except in 2017, the time period of January 14 through January 22 shall be designated “Inaugural  
14 Week.”” in its place .

15 **SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT**

16 Sec. 2031. Short title.

17 This subtitle may be cited as the “Reimbursable Detail Subsidy Program Amendment Act  
18 of 2016”.

19 Sec. 2032. Section 25-798(b) of the D.C. Official Code is amended by inserting the  
20 phrase “or a pub crawl organizer” after the phrase “or in a group,”.

21 **SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS**

22 Sec. 2031. Short title.

23 This subtitle may be cited as the “Walter Reed Development Omnibus Amendment Act

1 of 2015".

2 Sec. 2032. The Walter Reed Development Omnibus Act of 2015, effective March 1 ,  
3 2016 (D.C. Law \_\_\_ - \_\_\_)

4 (1) Sec 7 Subsection (e) ( D.C. Official Code \_\_\_\_\_ ) is amended as follows:

5 (A) The lead-in language is amended by striking the phrase “The” and inserting the  
6 phrase “Notwithstanding Section 1094 of the Grant Administration Act of 2013, effective  
7 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the” in its place.

8 **SUBTITLE E. REAL ESTATE GRANT CLARIFICATION AMENDMENT**

9 Sec. 2041. Short title.

10 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
11 Development Limited Grant-Making Authority Amendment Act of 2016”.

12 Sec. 2042. Section 2032 of the Deputy Mayor for Planning and Economic Development  
13 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;  
14 D.C. Official Code § 1-328.04) is amended as follows:

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

16 (1) The lead-in language is amended by striking the phrase “The Deputy  
17 Mayor for Planning and Economic Development” and inserting the phrase “Notwithstanding the  
18 requirements of section 1094 of the Grant Administration Act of 2013, effective December 24,  
19 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor for Planning and  
20 Economic Development” in its place.

21 (2) Paragraph (2) is amended by striking the word “and” at the end.

22 (3) Paragraph (4) is amended to read as follows:

1                   “(4) Funds for the creation or preservation of affordable housing for District  
2 residents;”

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

4                   “(5) Funds as may be necessary to implement projects that are part of the New  
5 Communities Initiative, including human capital projects; and

6                   “(6) Funds to support real estate projects developed or to be developed on  
7 properties disposed of pursuant to District law.”.

8                   (b)    Subsection (c) is amended by inserting the phrase “or preservation” after the  
9 word “creation”.

10                  Sec 2043. Section 301 of the National Capital Revitalization Corporation and Anacostia  
11 Waterfront Corporation Reorganization Act of 2008 (D.C. Law17-138; D.C. Official Code § 2-  
12 1225.21) is amended by adding a new subsection (d-2) to read as follows:

13                  “(d-2) Grants made pursuant to subsection (d) shall be exempt from the requirements of  
14 section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law  
15 20-61; D.C. Official Code § 1-328.13).”

16                  **SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT**

17                  Sec. 2051. Short title.

18                  This subtitle may be cited as the “Office of Cable Television, Film, Music and  
19 Entertainment Amendment Clarification Act of 2016.”

20                  Sec. 2052. (a) The Cable Television Reform Act of 2002, effective October 9, 2002 (D.C.  
21 Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

22                  (1) Sec. 201 (D.C. Official Code 34-1252.01) is amended as follows:

23                  (A) Subsection (a)(3) is amended as follows:

1 (i) The lead-in language is amended by striking the phrase “entertainment  
2 industry in the District” and inserting the phrase “a sustainable creative economy,  
3 entertainment, and media industry in the District” in its place.

4 (ii) Subparagraph (E) is amended by striking the phrase “television shows and  
5 films” and inserting the phrase “television shows, films, and music” in its place.

6 (iii) Subparagraph (F) is amended by striking the phrase “television shows and  
7 films” and inserting the phrase “television shows, films, and music” in its place.

8 (B) Subsection (e) is amended by striking the word “Programming” and inserting  
9 the phrase “Programming or an equivalent position” in its place.

10 (2) Sec. 202 (D.C. Official Code 34-1252.02) is amended as follows:

11 (A) Paragraph (8A) is amended by striking the phrase “studios and” and inserting  
12 the phrase “studios and other facilities and equipment” in its place.

13 (B) Subparagraph (8A)(A) is amended by striking the phrase “studios” and  
14 inserting the phrase “studios, facilities,” in its place.

15 (C) Paragraph (16) is amended by striking the phrase “funds from” and inserting  
16 the phrase “funds from private,” in its place.

17 (D) Paragraph (19) is amended by striking phrase “; and” and inserting a  
18 semicolon in its place.

19 (E) Paragraph (20) is amended by striking the semicolon and inserting the phrase  
20 “; and” in its place.

21 (F) A new paragraph (21) is added to read as follows:

1           “(21) Establish formal, collaborative arrangements (sometimes called  
2 “partnerships”) in writing with private and nonprofit entities to implement the purpose of this  
3 act.”.

4           (3) Sec. 203 (D.C. Official Code 34-1252.03) is amended as follows:

5                   (A) The heading is amended by striking the phrase “Cable Television”.

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

7                           (i) Strike the phrase “Cable Television” both times it appears; and

8                           (ii) Strike the phrase “operation of a cable system” and inserting the phrase “operation of  
9 the Office” in its place.

10                   (C) Subsection (d) is amended as follows:

11                           (i) Paragraph (3) is amended by striking the word “and”.

12                           (ii) Existing paragraph (4) is redesignated as paragraph (5); and

13                           (iii) A new paragraph (4) is added to read as follows:

14                                   “(4) Fees derived from film permits applied for or issued pursuant  
15 to section 2d of the Film Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law  
16 18-111; D.C. Official Code § 2-1204.11d) , other funds as may be designated by law, regulation,  
17 or reprogramming, and all interest earned on all deposits; and”.

18                   (b) Section 2e of the Film Economic Incentive Act of 206, effective March 3, 2010 (D.C.  
19 Law 18-111; D.C. Official Code § 2-1204.11e) is repealed.

20           **SUBTITLE G. DMPED PROCUREMENT PRACTICES REFORM ACT**

21           **AMENDMENT**

22           Sec. 2061. Short title.

1 This subtitle may be cited as the “Procurement Practices Reform Act Conforming  
2 Amendments Act of 2016.”

3 Sec. 2062. Section 105(c)(13) of the Procurement Practices Reform Act of 2010, effective  
4 April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.05(c)(13) is amended by striking the  
5 phrase “the authority in section 1 of An Act Authorizing the sale of certain real estate in the  
6 District of Columbia no longer required for public purposes approved August 5, 1939 (53 Stat.  
7 1211; D.C. Official Code § 10-801);” and inserting the phrase “District law or on District-owned  
8 real property adjacent to the disposed of property;”

9 Sec. 2063. Section 13 of the District of Columbia Medical Liability Captive Insurance  
10 Agency Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; D.C. Official  
11 Code § 1-307.92) is amended by striking the phrase “District of Columbia Procurement Practices  
12 Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et*  
13 *seq.*)” and inserting the phrase “Procurement Practices Reform Act of 2010, effective April 8,  
14 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its place.

15 Sec. 2064. Section 201(b) (D.C. Official Code § 2-1225.12(b)) of the National Capital  
16 Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008,  
17 effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21) is amended by  
18 striking the phrase “District of Columbia Procurement Practices Act of 1985, effective February  
19 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase  
20 “Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C.  
21 Official Code §2-351.01 *et seq.*)” in its place.

22 Sec. 2065. Section 7(b) of the Health Care Privatization Amendment Act of 2001,  
23 effective July 12, 2001 (D.C. Law 14-10; D.C. Official Code § 7-1405(b)) is amended by

1 striking the phrase “District of Columbia Procurement Practices Act of 1985, effective February  
2 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase  
3 “Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C.  
4 Official Code §2-351.01 *et seq.*)” in its place.

5         Sec. 2066. Section 102 (b) of the Community Access to Health Care Omnibus  
6 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code §7-  
7 1932) is amended by striking the phrase “District of Columbia Procurement Practices Act of  
8 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)”  
9 wherever it appears and inserting the phrase “Procurement Practices Reform Act of 2010,  
10 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its place.

11         Sec. 2067. Section 201(i) of the Clean and Affordable Energy Act of 2008, effective  
12 October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.01 *et seq.*) is amended by  
13 striking the phrase “District of Columbia Procurement Practices Act of 1985, effective February  
14 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase  
15 “Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C.  
16 Official Code §2-351.01 *et seq.*)” in its place.

17         Sec. 2068. Section 7 of the Washington Metropolitan Area Transit Authority Safety  
18 Regulation Act of 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code §9-  
19 1109.06) is amended by striking the phrase “District of Columbia Procurement Practices Act of  
20 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and  
21 inserting the phrase “Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
22 Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its place.

1           Sec. 2069. Section 2 (e) of the New Convention Center hotel Omnibus Financing and  
2 Development Amendment Act of 2008, effective April 15, 2008 (D.C. Law 17-144; D.C.  
3 Official Code § 10-1221.09) is amended by striking the phrase “District of Columbia  
4 Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official  
5 Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement Practices Reform Act of 2010,  
6 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its place.

7           Sec. 2070. Section 4(g)(3) of the Holding Company System Act of 1993, effective  
8 October 21, 1993 (D.C. Law 10-44; D.C. Official Code §31-703(g)(3)) is amended by striking  
9 the phrase “District of Columbia Procurement Practices Act of 1985, effective February 21, 1986  
10 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement  
11 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-  
12 351.01 *et seq.*)” in its place.

13           Sec. 2071. Section 7 of the Law on Examinations of 1992, effective October 21, 1993  
14 (D.C. Law 10-49; D.C. Official Code § 31-1406), is amended by striking the phrase “District of  
15 Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.  
16 Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement Practices Reform Act  
17 of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its  
18 place.

19           Sec. 2072. Section 3(b)(2) of the Hospital and Medical Services Corporation Regulatory  
20 Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3502(b)(2)) is  
21 amended by striking the phrase “District of Columbia Procurement Practices Act of 1985,  
22 effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and

1 inserting the phrase “Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
2 Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its place.

3 Sec. 2073. Section 8 of the Digital Inclusion Act of 2006, effective March 2, 2007 (D.C.  
4 Law 16-210; D.C. Official Code § 34-1731.07) is amended by striking the phrase “District of  
5 Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.  
6 Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement Practices Reform Act  
7 of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-351.01 *et seq.*)” in its  
8 place.

9 Sec. 2074. Section 205(e) of the Housing Production Trust Fund Act of 2005, effective  
10 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.05) is amended by striking  
11 the phrase “District of Columbia Procurement Practices Act of 1985, effective February 21, 1986  
12 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement  
13 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-  
14 351.01 *et seq.*)” in its place.

15 Sec. 2075. Section 303(a) of the Rental Housing Act of 1985, effective July 17, 1985  
16 (D.C. Law 6-10; D.C. Official Code § 42-3503.03(a)) is amended by striking the phrase  
17 “District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C.  
18 Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement  
19 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-  
20 351.01 *et seq.*)” in its place.

21 Sec. 2076. Section 2(b) of the Mental Health Services Client Enterprise Establishment  
22 Act of 1988 (D.C. Law 12-226; D.C. Official Code § 44-921(b)) is amended by striking the  
23 phrase “District of Columbia Procurement Practices Act of 1985, effective February 21, 1986

1 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*)” and inserting the phrase “Procurement  
2 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-  
3 351.01 *et seq.*)” in its place.

4 Sec. 2077. Section 47-340.30(f) of the District of Columbia Official Code is amended by  
5 striking the phrase “Chapter 3 of Title 2” and inserting the phrase “Chapter 3A of Title 2” in its  
6 place.

7 Sec. 2078. Section 47-1333 of the District of Columbia Official Code is amended by  
8 striking the phrase “subchapter I of Chapter 3” and inserting the phrase “Chapter 3A” in its  
9 place.

10 **SUBTITLE H. HOME PURCHASE ASSISTANCE PROGRAM LOAN**

11 **AMENDMENT**

12 Sec. 2081. Short title.

13 This subtitle may be cited as the “Home Purchase Assistance Program Loan Amendment  
14 Act of 2016”.

15 Sec. 2082. The lead-in language of section 14-2503.1(b) of Title 14 of the District of  
16 Columbia Municipal Regulations (14 DCMR § 2503.1(b)) is amended by striking the number  
17 “\$50,000” and inserting the number “\$80,000” in its place.

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

19 **SUBTITLE A. COG MEMORANDUM OF UNDERSTANDING**

20 **ESTABLISHMENT**

21 Sec. 3001. Short title.

22 This subtitle may be cited as the “Placement of Orders with Governmental Entities  
23 Amendment Act of 2016”.

1           Sec. 3002. Section 1 of An Act To grant additional powers to the Commissioners of the  
2 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.  
3 Official Code § 1-301.01), is amended by adding a new subsection (j-2) to read as follows:

4           “(j-2) Placement of orders with the Metropolitan Washington Council of Governments,  
5 and other entities —Notwithstanding the Procurement Practices Reform Act of 2010, effective  
6 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor may  
7 contract with the Metropolitan Washington Council of Governments or any other local or  
8 regional authority of which the District is a member or intergovernmental organization to which  
9 the District or any of its agencies or offices belongs for the provision or receipt of materials,  
10 supplies, equipment, work, or services of any kind. Contracts executed pursuant to this  
11 subsection shall be considered obligations upon appropriations in the same manner as orders or  
12 contracts executed pursuant to subsections (j) or (k) of this section.”

13           **SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID**

14           **AMENDMENT**

15           Sec. 3011. Short title.

16           This subtitle may be cited as the “Reciprocal Agreements for Mutual Aid Amendment  
17 Act of 2016”.

18           Sec. 3012. Section 1 of An Act to provide for a mutual-aid plan for fire protection by and  
19 for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for  
20 other purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414), is  
21 amended as follows:

22           (a) Subsection (a) is amended by:

1 (1) Striking the phrase “The Commissioners of the District of Columbia are” and  
2 inserting the phrase “The Mayor is” in its place;

3 (2) Striking the phrase “Arlington and Fairfax” and inserting the phrase  
4 “Arlington, Fairfax, and Loudoun”; and

5 (3) Inserting the phrase “City of Fairfax, Virginia,” after the phrase “City of  
6 Alexandria, Virginia”.

7 (b) Subsection (b) is amended by striking the phrase “The District of Columbia” and  
8 inserting the phrase “The Mayor” in its place.

9 (b) Subsection (c) is amended to read as follows:

10 “(c) The Mayor may make available to the federal government, the Washington  
11 Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and  
12 any other local or regional authority or intergovernmental organization personnel and equipment  
13 of the Fire and Emergency Medical Services Department to extinguish fires, and to save lives, on  
14 property of the federal government, the Washington Metropolitan Area Transit Authority, the  
15 Metropolitan Washington Council of Governments, or another local or regional authority of  
16 which the District is a member or intergovernmental organization to which the District or any of  
17 its offices or agencies belongs in Prince George's and Montgomery Counties, Maryland;  
18 Arlington and Fairfax Counties, Virginia; the City of Alexandria, Virginia; the City of Fairfax,  
19 Virginia; and the City of Falls Church, Virginia.”.

20 **SUBTITLE C. MATERNAL MORTALITY REVIEW COMMITTEE**  
21 **ESTABLISHMEENT**

22 Sec. 3021. Short Title.

1 This subtitle may be cited as “Maternal Mortality Review Committee Establishment Act  
2 of 2016.”

3 Sec. 3022. Definitions.

4 For the purposes of this subtitle, the term:

5 (1) “Maternal mortality” or “Maternal death” means any pregnancy-related death or  
6 pregnancy-associated death.

7 (2) “Maternal Mortality Committee” or “Committee” means the entity established by  
8 section 3023 of this act.

9 (3) “Pregnancy-related death” means the death of a woman while pregnant or within 1  
10 year following the end of pregnancy, regardless of duration or site of the pregnancy, from any  
11 cause related to or aggravated by the pregnancy or its management, but not from accidental or  
12 incidental causes.

13 (4) “Pregnancy-associated death” means the death of a woman while pregnant or within  
14 one year following the end of pregnancy, irrespective of cause.

15 Sec. 3023. Establishment and purpose.

16 (a) There is established a Maternal Mortality Review Committee within the Office of the  
17 Chief Medical Examiner, with the purpose of conducting comprehensive, multidisciplinary  
18 reviews of maternal deaths in the District of Columbia for the purpose of identifying factors  
19 associated with the deaths and making recommendations for system changes to improve health  
20 and safety for women in the District.

21 (b) The Committee shall prepare an annual report of findings, recommendations, and  
22 steps taken to evaluate implementation of recommendations. The annual report shall not contain  
23 information that individually identifies any person or could reasonably be used to identify any

1 person. The annual report shall be submitted to the public, the Mayor, and the Council of the  
2 District of Columbia on September 30<sup>th</sup> of each year.

3 (c) The Report required by subsection (b) shall include the following information:

4 (1) A description of the events the Committee reviewed during the preceding  
5 calendar year, including statistics and causes; and

6 (2) Recommendations for systematic changes and legislation relating to the  
7 delivery of maternal health care, education, and safety in the District.

8 (d) The Committee may develop operating and case review rules and procedures.

9 Sec. 3024. Administration and appropriations.

10 (a) The Office of the Chief Medical Examiner shall provide facilities and other  
11 administrative support for the Committee.

12 (b) There are authorized to be appropriated from the general revenues of the District  
13 funds necessary to carry out the purposes of this subtitle.

14 Sec. 3025. Composition.

15 (a) The Mayor shall appoint one voting member representing each of the following  
16 government agencies:

17 (1) The Department of Health;

18 (2) The Office of the Chief Medical Examiner;

19 (3) The Department of Behavioral Health; and

20 (4) The Department of Health Care Finance.

21 (b) The Mayor shall appoint one voting member representing each of the following  
22 categories:

23 (1) An obstetric registered nurse;

1 (2) One OB/GYN representative from each of the District birthing hospitals, but  
2 not more than 7 total, at least 1 of which shall have a maternal-fetal medicine sub-specialty.

3 (3) A representative from the American Congress of Obstetricians and  
4 Gynecologists;

5 (4) A certified nurse midwife from a District birthing center; and

6 (5) A District resident community member.

7 (c) The Committee shall elect a chairperson by a majority vote of the members. The  
8 chairperson shall serve a one-year term. The chairperson may serve multiple consecutive terms  
9 without limitation. When a chairperson is unable to complete a term or resigns, the Committee  
10 may elect a new chairperson to fill the remainder of an unexpired term.

11 (d) The Committee and chairperson may invite community and government stakeholders  
12 to attend or present at any relevant portion of a Committee meeting.

13 Sec. 3026. Terms.

14 (a) Government members shall serve at the pleasure of the Mayor.

15 (b) All other members shall be appointed for a three-year term, subject to removal by the  
16 Mayor for cause. The terms of the members first appointed shall begin on the date a majority of  
17 the first members are sworn, which shall be the anniversary date for all subsequent appointments.  
18 Of the initial appointees, 3 shall be appointed for a term of 1 year, 4 shall be appointed for a term  
19 of 2 years, and 4 shall be appointed for a term of 3 years. Members may serve in hold-over  
20 capacity not to exceed 180 days from the date of the expired term to which they were appointed.

21 (c) If a Committee member accumulates three unexcused absences, as defined in  
22 Committee rules and procedures, in a single calendar year, the Mayor shall remove that member

1 and appoint a replacement. A replacement for a non-government member shall be appointed to  
2 complete the remainder of that member's unexpired term.

3 (d) Whenever a vacancy occurs as a result of a resignation, disability, death, or for other  
4 reasons, the Mayor shall appoint a replacement to fill the remainder of that member's unexpired  
5 term.

6 Sec. 3027. Duties.

7 (a) The Committee shall conduct a comprehensive, multi-disciplinary review of maternal  
8 deaths occurring within the District and of maternal deaths of District residents regardless of  
9 place of death.

10 (b) The review shall be conducted in accordance with Committee rules and procedures.

11 (c) The Committee may compile a report of aggregated data that does not include  
12 individually identifiable information as needed for public distribution to encourage further case  
13 studies of maternal deaths.

14 Sec. 3028. Information related to maternal mortality.

15 (a) Each health care provider, health care facility, clinic, laboratory, medical record  
16 department, and District agency that receives information related to maternal death shall report  
17 the information to the Department of Health.

18 (b) The Department of Health and the Committee may acquire maternal mortality  
19 information from any provider, health care facility, clinic, laboratory, medical record department,  
20 and District agency for Committee use.

21 (c) The Committee may have access to individually identifiable data relating to maternal  
22 deaths. As used in this section, "individually identifiable data" includes:

23 (1) Hospital discharge data, prenatal, fetal, pediatric, infant medical records;

- 1 (2) Hospital or clinic records;
- 2 (3) Health insurance claim information, laboratory reports;
- 3 (4) Records of fetal deaths or induced termination of pregnancies;
- 4 (5) Public benefits, child abuse and neglect records, school records, mental health
- 5 records, police reports and autopsy reports.

6 (d) The Committee shall not disclose individually identifiable data for purposes other  
7 than official Committee use.

8 (e) DOH and the Committee may retain identifiable information on facilities where  
9 maternal deaths occur and geographic information on each case, for the purposes of trending and  
10 analysis over time.

11 Sec. 3029. Subpoena Power.

12 When necessary for the discharge of its duties, the Committee shall have the authority  
13 to issue subpoenas to compel production of books, papers, correspondence, memoranda,  
14 documents, medical records, or other relevant records.

15 Sec. 3030. Confidentiality.

16 (a) Any information presented at a Committee meeting, including case review materials  
17 or documents, shall be treated as confidential. No Committee member, no person who presents  
18 information to the Committee, and no person attending a Commission meeting may disclose this  
19 information to any person unless required by a court order or by other law. Nothing in this  
20 subsection shall be construed to prohibit any person from disclosing information that the person  
21 obtained independently of the Committee or that is public information.

22 (b) Proceedings of the Committee shall be closed to the public and shall not be subject  
23 to the Open Meetings Act (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*) when the

1 Committee is discussing a case of individual maternal or child death or when the identity of any  
2 person, other than a person who has consented to be identified, can be ascertained. A person,  
3 other than a Committee member, who attends any closed Committee meeting shall not disclose  
4 information discussed at the meeting to anyone who was not in attendance, except when  
5 disclosure is necessary for that person to comply with a request for information from the  
6 Committee.

7 (c) All information, records of interviews, written reports, statements, notes, memoranda  
8 or other data obtained or produced by the Committee members, while acting within the scope of  
9 this Committee's duties, shall be exempt from disclosure under the Freedom of Information Act  
10 of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.* (2012  
11 Repl.)).

12 Sec. 3031. Penalties.

13 Whoever discloses, receives, makes use of, or knowingly permits the use of information  
14 in violation of this subtitle may be removed from the Committee, and if the member is a  
15 government member may also be subject to disciplinary action, by the Mayor.

16 Sec. 3032. Compensation.

17 Members shall serve without compensation. However, expenses of the commission may  
18 be reimbursed with advance approval from the Office of the Chief Medical Examiner upon  
19 identification of sufficient funding.

20 Sec. 3033. Rulemaking.

21 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
22 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules  
23 to implement the provisions of this subtitle.

1           Sec. 3034. Conforming Amendment.

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

4           (a) Paragraph (14) is amended by striking the word “and” at the end.

5           (b) Paragraph (15) is amended by striking the period at the end and inserting the phrase “;  
6 and” in its place.

7           (c) A new paragraph (16) is added to read as follows:

8                   “(16) Information exempt from disclosure under § xxxx(c) of the Maternal  
9 Mortality Review Committee Establishment Act of 2016, as introduced on March \_\_, 2016 (Bill  
10 21-\_\_).”.

11           **SUBTITLE D. PUBLIC SAFETY EXECUTIVE SERVICE PAY SCHEDULE**

12           **AMENDMENT**

13           Sec. 3041. Short title.

14           This subtitle may be cited as the “Executive Service Pay Schedule Amendment Act of  
15 2016”.

16           Sec. 3042. The District of Columbia Government Comprehensive Merit Personnel Act of  
17 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is  
18 amended as follows:

19           (a) Section 1052(b) (D.C. Official Code 1-610.52(b)) is amended as follows:

20                   (1) Paragraph (2) is amended to read as follows:

21                           “(2) Notwithstanding paragraph (1) of this subsection, the Council approves a  
22 compensation level of \$253,817 for Cathy Lanier, as Chief of the Metropolitan Police

1 Department, and a compensation level of \$292,520 for Kaya Henderson, as Chancellor of the  
2 District of Columbia Public Schools.”.

3 (2) Paragraph (2A) is repealed.

4 (3) Paragraph (3) is amended by striking the phrase “and (2A)”.

5 (b) Section 1052a (D.C. Official Code § 1-610.52a) is amended as follows:

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

7 “(a) The Executive Service Public Safety, Health, and Education Schedule (“DX Public  
8 Safety, Health, and Education Schedule”) shall be divided into 4 pay levels and shall be the basic  
9 pay schedule for subordinate agencies heads in the public safety, health, and education cluster.”.

10 (2) Subsection (b) is amended by striking the phrase “public safety cluster” and  
11 inserting the phrase “public safety, health, and education cluster” in its place.

12 (3) Subsection (c) is amended by striking the phrase “DX Public Safety  
13 Schedule” and inserting the phrase “DX Public Safety, Health, and Education Schedule” in its  
14 place.

15 (4) Subsection (g) is amended to read as follows:

16 “(g) For the purposes of this section, the term “public safety, health, and education  
17 cluster” means the following District agencies or any successor agencies:

18 “(1) Department of Behavioral Health;

19 “(2) Department of Corrections;

20 “(3) Department of Forensic Sciences;

21 “(4) Department of General Services;

22 “(5) Department of Health;

23 “(6) Department of Youth Rehabilitation Services;

- 1           “(7) District of Columbia Public Schools;
- 2           “(8) Fire and Emergency Medical Services Department;
- 3           “(9) Homeland Security and Emergency Management Agency;
- 4           “(10) Metropolitan Police Department;
- 5           “(11) Office of the Chief Medical Examiner; and
- 6           “(12) Office of Unified Communications.”.

7           Sec. 3043. Section 2903(b) of the Establishment of the Office of the Chief Medical  
8 Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-  
9 1402(b)), is amended by striking the phrase “to be paid at an annual rate of \$206,000.”

10          Sec. 3044. The DX Public Safety Schedule for fiscal years 2015 through 2017,  
11 previously approved by the Council pursuant to section 3 of the Executive Service  
12 Compensation System Changes and Pay Schedule Approval Amendment Act of 2014, effective  
13 May 2, 2015 (D.C. Law 20-267; 62 DCR 1543), is approved as the DX Public Safety, Health,  
14 and Education Schedule for fiscal years 2015 through 2017.

15          Sec. 3045. Applicability.

16          This act shall apply as of January 1, 2015.

17           **SUBTITE E. CORRECTIONS INFORMATION COUNCIL BOARD**

18           **AMENDMENT**

19          Sec. 3051. Short title.

20          This subtitle may be cited as the “Corrections Information Council Board Amendment  
21 Act of 2016”.

1           Sec. 3052. Section 11201(b)(2)(A) of the National Capital Revitalization and Self-  
2 Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C.  
3 Official Code § 24-101.01) is amended as follows:

4           (a) Subsection (b)(2) is amended as follows:

5                   (1) Subparagraph (A) is amended by striking the phrase “3 members, 2 of whom  
6 shall be appointed by the Mayor with the advice and consent of the Council, and one of whom  
7 shall be appointed by the Council” and inserting the phrase “5 members, 3 of whom shall be  
8 appointed by the Mayor with the advice and consent of the Council, and 2 of whom shall be  
9 appointed by the Council” in its place.

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

11                   “(B-1) Notwithstanding subparagraph (B), of the two additional members  
12 appointed pursuant to the Corrections Information Council Board Amendment Act of 2016, as  
13 introduced on March \_\_, 2016 (Bill 21-\_\_), the initial Council appointee shall serve a term of  
14 two years and the initial mayoral appointee shall serve a term of one year. Subsequent mayoral  
15 and Council appointees shall serve two-year terms.”.

16           (b) Subsection (c) is amended by striking the phrase “2 members” wherever it appears  
17 and inserting the phrase “3 members” in its place.

18           **SUBTITLE F. DEPARTMENT OF FORENSIC SCIENCES LABORATORY**  
19 **FUND ESTABLISHMENT**

20           Sec. 3061. Short title.

21           This subtitle may be cited as the “DFS Laboratory Fund Establishment Act of 2016”.

1           Sec. 3062. (a) There is established as a non-lapsing fund the DFS Laboratory Fund  
2 (“Fund”). The Fund shall be administered by the Director of the Department of Forensic  
3 Sciences.

4           (a)     The fund shall be funded with:

5                   (1)     Annual resources transferred from the United States Department of  
6 Homeland Security for the BioWatch program; and

7                   (2)     All other revenue received for services that the DFS lab provides.

8           (b)     The Fund shall be used solely to fund services, materials, non-grant funded  
9 research, equipment, laboratory staff and trainings supporting the laboratories within the DFS to  
10 enhance public health and the criminal justice process.

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

16           (d)     All monies in the Fund shall be considered as supplementing and enhancing the  
17 resources available to DFS to support public health and the criminal justice process and are not  
18 intended to be used to supplant support for the Department provided through the general funds of  
19 the District.

20           **SUBTITLE G. ANATOMICAL BOARD REPEAL**

21           Sec. 3071. Short title.

22           This subtitle may be cited as the “Anatomical Board Repeal Amendment Act of 2016”.

1           Sec. 3072. An Act For the promotion of anatomical science and to prevent the  
2 desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C.  
3 Official Code § 3-201 *et seq.*), is repealed.

4           Sec. 3073. Section 6 of the District of Columbia Funeral Services Regulatory  
5 Amendment Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405)  
6 is amended as follows:

7           (a) Paragraph (h)(4)(C)(i) is amended by striking the phrase, “The Anatomical Board,  
8 human tissue banks, and anatomical gifts;” and inserting the phrase, “Human tissue banks and  
9 anatomical gifts;” in its place.

10           **SUBTITLE H. FIRE OFFICIALS’ SERVICE LONGEVITY AMENDMENT ACT**  
11 **OF 2016**

12           Sec. 3081. Short title.

13           This subtitle may be cited as the “Fire Officials’ Service Longevity Amendment Act of  
14 2016”.

15           Sec. 3082. Section 401(a)(3) of the District of Columbia Police and Firemen’s Salary Act  
16 of 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5–544.01(a)(3)), is  
17 amended by adding a new subsection (B–3) to read as follows:

18           “(B–3) Notwithstanding any other provision of this or any other law, each  
19 Assistant Fire Chief, Deputy Fire Chief and Battalion Fire Chief in active service of the Fire  
20 Department of the District of Columbia who has completed, or completes, fifteen (15) years of  
21 total service, twenty (20) years of total service, twenty-five (25) years of total service, and thirty  
22 (30) years of total service shall receive, per annum, a service longevity payment paid at a rate of  
23 five percent (5%), ten percent (10%), fifteen percent (15%), and twenty percent (20%),

1 respectively, of his/her annual rate of pay as prescribed in the Salary Schedule that he/she  
2 occupies.”.

3 **TITLE IV. PUBLIC EDUCATION**

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

6 Sec. 4001. Short title.

7 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
8 Amendment Act of 2016”.

9 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
10 Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26,  
11 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

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

“Grade Level	Weighting	Per Pupil Allocation in FY 2017
“Pre-Kindergarten 3	1.34	\$12,974
“Pre-Kindergarten 4	1.30	\$12,587
“Kindergarten	1.30	\$12,587
“Grades 1-5	1.00	\$9,682
“Grades 6-8	1.08	\$10,457
“Grades 9-12	1.22	\$11,812
“Alternative program	1.44	\$13,942
“Special education school	1.17	\$11,328
“Adult	0.89	\$8,617

”.

14  
15 (b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

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

18 “Special Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,392
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,618
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$19,074
"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	\$33,790
"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	\$668
"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	\$862
"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	\$16,169

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“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“ELL	Additional funding for English Language Learners.	0.49	\$4,744
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,120

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4  
5

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“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	\$3,563
“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	\$12,945
“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	\$27,991

“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	\$27,826
“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	\$6,468

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“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 2017
“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	\$610
“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	\$2,198

“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	\$4,754
“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	\$4,734

”.

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2

**SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY**

3

**AMENDMENT**

4

Sec. 4011. Short title.

5

This subtitle may be cited as the “DCPS Contracting and Spending Flexibility

6

Amendment Act of 2016”.

7

Sec. 4012. (a) Section 413(17) of the Procurement Practices Reform Act of 2010,

8

effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.13(17)), is amended to

9

read as follows:

10

“(17) Professional development training, services, and goods valued at \$25,000 or less

11

which support principal, teacher, and student achievement at District of Columbia Public

12

Schools.”.

13

(b) Subject to the requirements of section 446 of the District of Columbia Home Rule

14

Act, effective December 24, 1973 (87 Stat. 101; D.C. Official Code § 1-204.46), and the

15

requirements of Title 47, Chapter 3, Subchapter IV of the D.C. Official Code, each DCPS school

1 may expend budgeted non-personnel services funds on non-personnel services needs without  
2 regard to budget object class.

3 **SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES**

4 Sec. 4021. Short title.

5 This subtitle may be cited as the “Classroom Animal for Educational Purposes  
6 Amendment Act of 2016”.

7 Sec. 4022. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979  
8 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to  
9 read as follows:

10 “(6) Paragraph (1) of this subsection shall not apply to educational institutions  
11 that possess animals for educational and instructional purposes, for which the educational  
12 institutions maintain a permit from the Mayor that ensures that the care and management of the  
13 animals complies with humane, sanitary, and safe treatment requirements, as set forth in section  
14 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law  
15 17-281 ; D.C. Official Code § 8-1851.02).”

16 **SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS**

17 Sec. 4031. Short title.

18 This subtitle may be cited as the “Healthy Tots Amendment Act of 2016”.

19 Sec. 4032. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155;  
20 D.C. Official Code § 38-281 *et seq.*), is amended as follows:

21 (a) Section 4073(B) (D.C. Official Code § 38-282) is amended by striking the  
22 phrase “to receive free or reduced meals” and inserting the phrase “for subsidized child care” in  
23 its place.

1 (b) Section 4073a (D.C. Official Code § 38-282.01) is amended as follows:

2 (1) Paragraph (a) is amended by striking the phrase “to participate in the  
3 CACF Program” and inserting the phrase “for subsidized child care” in its place.

4 (2) Paragraph (c) is amended by striking the phrase “September 30, 2016”  
5 and inserting the phrase “September 30, 2017” in its place.

6 **SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM**

7 Sec. 4041. Short title.

8 This subtitle may be cited as the “National External Diploma Program Amendment Act  
9 of 2016”.

10 Sec. 4042. Section 7b of the State Education Office Establishment Act of 2000 effective  
11 October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2608) is amended as follows:

12 (a) A new paragraph (g) is added to read as follows:

13 “(g) All diplomas awarded to residents for successfully completing the requirements of  
14 the National External Diploma Program from January 1, 1980 through February 5, 2016 in the  
15 District of Columbia are deemed legitimate and valid.”

16 **SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY**

17 Sec. 4051. Short title.

18 This subtitle may be cited as the “Foster Care Extended Eligibility Amendment Act of  
19 2016”.

20 Sec. 4052. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999  
21 (D.C. Law 12-216; D.C. Official Code§ 4-404.01(a)), is amended as follows:

22 (a) Paragraph (4) is amended by striking the phrase "services; and" and inserting  
23 the phrase "services;" in its place.

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

3 (c) New paragraphs (6), (7), and (8) are added to read as follows:

4 “(6) Children of a teen parent under 21 years of age who is either in foster  
5 care or a ward of the District and is either working or enrolled in a verified job training or  
6 education program;

7 “(7) Children in foster care placement when the foster care provider is not  
8 working but receives some form of verifiable income, such as social security or disability, and  
9 the child care services are in the best interest of the child; and

10 “(8) Children in foster care placement when the foster care provider is not  
11 working but enrolled in a verified job training or education program, and the child care services  
12 are in the best interest of the child.”.

13 **SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT**  
14 **ADJUSTMENT**

15 Sec. 4061. Short title.

16 This subtitle may be cited as the "Public Charter School Advance Payment Adjustment  
17 Amendment Act of 2016".

18 Sec. 4062. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
19 and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective  
20 March 26, 1999 (D.C. Law 12-207, D.C. Official Code § 38-2906.02), is amended as follows:

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

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

1           "(1) The basis of the July 15 payment to a public charter school shall be the  
2 estimate used in the June 30 quarterly reports submitted by the eligible chartering authorities  
3 pursuant to § 38-1804.02(a) and shall be 35% of an existing school's entitlement, and 45% of a  
4 new school's entitlement."

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

6           "(2) The basis of the October 25 payment shall be the unaudited October  
7 enrollment numbers for that school contained in the reports submitted by the eligible chartering  
8 authorities on October 5 and shall be equal to 60% of an existing school's entitlement and 70% of  
9 a new school's entitlement, less amounts paid in July."

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

11          "(3) The basis of the January 15 payment shall be the unaudited October  
12 enrollment numbers for that school contained in reports submitted by the eligible chartering  
13 authorities on October 5 and shall be equal to 80% of an existing school's entitlement and 85% of  
14 a new school's entitlement, less amounts paid in July and October."

15           **SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING**

16           Sec. 4071. Short title.

17           This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising  
18 Amendment Act of 2016".

19           Sec. 4072. Section 4122 of the Fiscal Year 2016 Budget Support Act of 2015, effective  
20 October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

21           (a) Subsection (f) is amended by striking the word "December 31<sup>st</sup>" and inserting the  
22 word "April 30<sup>th</sup>" in its place.

23           (b) A new subsection (g) is added to read as follows:

1 (1)"The Chief Financial Officer shall deposit all cash proceeds received from  
2 advertisements and sponsorships pursuant to this section to the credit of the Common Lottery  
3 Board Fund established in § 38-195 in the same manner as that used for donations under § 1-  
4 329.01."

5 **SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT**  
6 **PERIOD AMENDMENT**

7 Sec. 4081. Short Title.

8 This subtitle may be cited as the "School Immunization Requirements Enforcement  
9 Period Amendment Act of 2016."

10 Sec. 4082. Section 6 of the Health Immunization of School Students Act of 1979,  
11 effective Sept. 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-505), is amended as follows:

12 (a) Section 6 is amended by striking the phrase "10 days" and inserting "20 school  
13 days."

14 **SUBTITLE J. PUBLIC CHARTER SCHOOL AT RISK STUDENT**  
15 **AMENDMENT**

16 This subtitle may be cited as the "Public Charter At-Risk and Limited English Proficient  
17 Payment Amendment Act of 2016".

18 Sec. 4091. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
19 and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective  
20 March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2906.02), is amended as follows:

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

22 "(d)(1) Payments for special education, limited English proficient students, at-risk  
23 students, and other add-on components of the Funding Formula shall be included in the

1 quarterly payments to public charter schools. Payments shall reflect one-quarter of the annual per  
2 student amount for each add-on; provided, that add-ons for special education shall be added on a  
3 pro-rata basis from the date on which a public charter school begins to provide add-on services  
4 for such students, as set forth in subsection (g) of this section.”

5 (b) Subsection (g) is amended to read as follows:

6 “(g)(1) Charter schools offering special education services may receive payment, on a  
7 pro-rata basis from the date on which the school begins to provide services for students enrolled  
8 by October 5 with a newly identified or increased individualized education program (IEP) made  
9 after October 5, upon application to the Chief Financial Officer of the District of Columbia. The  
10 supplemental payments for these special education students shall be disbursed in addition to the  
11 quarterly payments at the discretion of the Chief Financial Officer.

12 “(g)(2) Charter schools shall receive the full annual UPSFF per pupil amount payment for  
13 at-risk or limited English proficient students who are enrolled by October 5 but not designated as  
14 at-risk or limited English proficient students until after October 5.”

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 Time Limit  
20 Exemption and POWER Expansion Amendment Act of 2016”.

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 § 4-201.01 *et seq.*), is amended as follows:

23 (a) Section 552 (D.C. Official Code § 4-205.52) is amended as follows:

1 (1) Subsection (c-3) is amended as follows:

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

3 “(3A) For Fiscal Year 2017, the level of assistance payment shall be equal to the Fiscal  
4 Year 2016 amount.”.

5 (B) Paragraph (4) is amended by striking the phrase “Fiscal Year 2017” and  
6 inserting the phrase “Fiscal Year 2018” in its place.

7 **SUBTITLE B. DHCF MEDICAL ASSISTANCE PROGRAM AMENDMENTS**

8 Sec. 5011. Short title.

9 This subtitle may be cited as the “Department of Healthcare Finance Medical Assistance  
10 Program Amendment Act of 2016”.

11 Sec. 5012. Section 1(a) of an Act To enable the District of Columbia to receive Federal  
12 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
13 and for other purposes, approved December 27, 1967 (81 Stat. 744: DC Official Code § 1-  
14 307.02(a)), is amended as follows:

15 (a) new paragraph \_\_ is added to read as follows:

16 “( ) Review and approval by the Council of the Fiscal Year 2017 Budget  
17 and Financial Plan shall constitute the Council review and approval required by paragraph (2) of  
18 this subsection of any amendment, modification, or waiver of the state plan require to:

19 “Implement needed amendments to the ICF/IDD reimbursement methodology.

20 “Implement needed amendments to the payment methodology for hospital  
21 services.

22 “Implement needed amendments to the payment methodology for nursing  
23 homes.”

1           “Implement needed amendments to the payment methodology for  
2 disproportionate share hospital program.”

3           “Implement needed amendments to the health homes program.”

4           “Implement needed amendments to renew and update the Elderly and Persons  
5 with Disabilities waiver program and conforming changes to the state plan.

6           “Implement needed amendments to the payment methodology for prescribed  
7 drugs”

8           **SUBTITLE C. CONTRIBUTION TO COST OF SUPPORTS FUND**

9           Sec. 5021. Short title.

10          This subtitle may be cited as the “Contribution to Cost of Supports Fund Act of 2016.”

11  
12          Sec. 5022. The Developmental Disabilities Service Management Reform Amendment  
13 Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et*  
14 *seq.*), is amended by adding a new section 105b to read as follows:

15                 “Sec. 105b. Contribution to Cost of Supports Fund.

16                 “(a) There is established as a special fund the Contribution to Cost of Supports  
17 Fund (‘Fund’), which shall be administered by DDS in accordance with subsection (c) of this  
18 section.

19                 “(b) The Fund shall consist of contributions to cost of supports which DDS shall  
20 collect from persons with intellectual and developmental disabilities who are Medicaid-eligible  
21 but not eligible for the maximum Supplement Security Income or Social Security Disability  
22 Insurance payments or are not Medicaid-eligible but otherwise have been found eligible to  
23 receive services from the Developmental Disabilities Administration. For purposes of this

1 section, DDS shall collect the contribution to cost of supports from each person who has the  
2 ability to pay from other sources of income to the extent that DDS uses local dollars to fund the  
3 costs of occupancy (*i.e.* rent), other personal expenses (*i.e.* food, clothing, and medical), supplies,  
4 furnishings and equipment, and support services. Within 60 days of the effective date of the  
5 Contribution to Cost of Supports Fund Act of 2016, DDS shall publish policy and procedures  
6 establishing who has the ability to pay, the amount to be collected, and the method and timing of  
7 payment(s) to DDS for such purposes.

8 “(c) The Fund shall be used by DDS to pay the cost of such residential and other  
9 supports to persons with intellectual and developmental disabilities consistent with federal and  
10 local law and the policy and procedures published in accordance with subsection (b).

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

14 “(2) Subject to authorization by Congress, any funds appropriated in the Fund  
15 shall be continually available without regard to fiscal year limitation.”.

#### 16 **SUBTITLE D. DDS MEDICAL ASSISTANCE PROGRAM AMENDMENT**

17 Sec. 5031. Short title.

18 This subtitle may be cited as the “Department on Disability Services Medical Assistance  
19 Program Amendment Act of 2016.”

20 Sec. 5032. Section 1(a) of An Act to enable the District of Columbia to receive Federal  
21 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
22 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-  
23 307.02(a)), is amended by adding a new paragraph (10) to read as follows:

1                   “(10) 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 implement  
4 needed amendments to the Home and Community-Based Services Waiver for Persons with  
5 Intellectual and Developmental Disabilities to ensure compliance with federal law and promote  
6 best practices.”.

7                   **SUBTITLE E. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL**  
8 **DISABILITIES RENT INCREASE RELIEF**

9                   Sec. 5041. Short title.

10                  This subtitle may be cited as the “Persons with Intellectual and Developmental  
11 Disabilities Rent Increase Relief Act of 2016.”

12                  Sec. 5042. The Rental Housing Act of 1985 (D.C. Law 6-10; DC Official Code § 42-  
13 3501.01 *et seq.*) is amended as follows:

14                  (a) Section 103 (D.C. Law 6-10; D.C. Official Code § 42-3501.03) is amended to add a  
15 new paragraph (13A) to read as follows:

16                         “(13A) ‘Home and community-based services waiver provider’ means an entity  
17 that is enrolled to provide residential habilitation or supported living services under the Medicaid  
18 Home and Community-Based Services Waiver for Persons with Intellectual and Developmental  
19 Disabilities as approved under section 1915(c) of the Social Security Act (95 Stat. 809; 42  
20 U.S.C. § 1396n).”.

21                  (b) Section 205(a)(1) (D.C. Law 6-10; D.C. Official Code § 42-3502.05(a)(1)) is  
22 amended by adding the phrase “or any unit rented by a home and community-based services

1 waiver provider and occupied by a tenant with a disability or co-leased by a home and  
2 community-based services provider and a tenant with a disability” at the end of the sentence.

3 **SUBTITLE F. COMMISSION ON HEALTH EQUITY**

4 Sec. 5051. Short Title.

5 This title may be cited as the “Commission on Health Equity Amendment Act of 2016”.

6 Sec. 5052. Sections 2 through 4 of the Commission on Health Disparities Establishment  
7 Act of 2014, effective March 10, 2015 (D.C. Law 20-192; D.C. Official Code §§ 7-755.01 - 7-  
8 755.04 ) are amended to read as follows:

9 “Sec. 2. Establishment of the Commission on Health Equity.

10 “(a) There is established a Commission on Health Equity ("Commission") to prepare,  
11 through the Department of Health’s Office of Health Equity, comprehensive recommendations to  
12 the Department of Health, the Council, and the Mayor that examine and address health inequities  
13 across the District and differing opportunities for health by demographic subpopulations and  
14 geographic areas, to include each election ward of the District.

15 “(b) The Commission shall have 9 voting members, who shall be appointed as follows:

16 “(1)(A) Six voting members shall be appointed by the Mayor with the advice and  
17 consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978,  
18 effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

19 “(B) The Mayor's initial 6 appointments shall include 3 members  
20 appointed to 3-year terms and 3 members appointed to 2-year terms. All subsequent  
21 appointments by the Mayor shall be for 3-year terms.

22 “(2)(A) Three voting members shall be appointed by the Council.

1                   “(B) The Council's initial 3 appointments shall be for 1-year terms. All  
2 subsequent appointments by the Council shall be for 3-year terms.

3                   “(3) Each voting member shall have expertise in at least one of the following  
4 areas:

5                   “(A) Health equity, social determinants and health disparities;

6                   “(B) Social and human services, and vulnerable populations;

7                   “(C) Early learning and education;

8                   “(D) Minority communities and population health outcomes/improvement

9                   “(E) Economic and community development; and

10                  “(F) Ecology and the natural and built environment.

11                  “(4) The Mayor shall appoint the Chairperson of the Commission from among its  
12 voting members.

13                  “(c)(l) The Commission shall include the following nonvoting advisory members:

14                  “(A) The Chairperson of the Committee on Health, who shall serve as an  
15 ex-officio member;

16                  “(B) Three community advisory members, one each from Wards 5, 7, and  
17 8, appointed by the Council;

18                  “(C) One patient organization representative, appointed by the voting  
19 members of the Commission; and

20                  “(D) The presidents or chief executive officers of 2 District hospitals and a  
21 representative from an insurance company who have access to health outcomes databases, or  
22 their designees.

1           “(2) For the purposes of this subsection, the term "patient organization  
2 representative" means an individual who works for a national or local healthcare or health  
3 promotion organization.

4           “(d) All vacancies on the Commission shall be filled in the same manner in which the  
5 initial appointment is made.

6           “(e) All members of the Commission shall be appointed within one year after the  
7 effective date of this act.

8           “Sec. 3. Commission duties and functions.

9           “(a) The Commission shall advise the Department of Health’s Office of Health Equity  
10 on:

11           “(1) Development of a baseline assessment of health equity across the District,  
12 and differing opportunities for health by demographic subpopulations and geographic areas, to  
13 include each election ward of the District.

14           “(2) Application of innovative data collection and dissemination strategies, to  
15 augment the use of evidence based methods, tools and practices within a community based  
16 participatory research (CBPR) framework.

17           “(3) Strengthening collaborative partnerships with communities impacted by  
18 health inequities to identify and promote health equity strategies.

19           “(b) The Commission shall:

20           “(1) Gather information from public hearings, inquires, and studies to understand  
21 how the District government may work to eliminate health disparities;

22           “(2) Seek federal grants, if available; and

1           “(3) Submit a formal city action plan by March 1st of each year to the Department  
2 of Health, the Mayor, and the Council.

3           “(c) The formal city action plan required by subsection (b)(6) of this section shall be a  
4 public document and shall include, at a minimum:

5           “(1) A report of the Commission's findings regarding health equity across the  
6 District, and differing opportunities for health by demographic subpopulations and geographic  
7 areas, to include each election ward of the District; with the identification of health indicators  
8 studied that highlight the election ward and populations and/or neighborhoods most affected;  
9 possible steps that can be taken by the District government to remedy these issues; and, expected  
10 outcomes that will result from taking the recommended steps; and

11           “(2) Draft legislation, regulations, amendments to statutes or regulations, or any  
12 other specific steps for implementing the recommendations described in paragraph (1) of this  
13 subsection.

14           “Sec. 4 Commission procedure and powers.

15           “(a) The Commission shall meet at least once a quarter to share findings regarding the  
16 prevalence and severity of health disparities that exist in each election ward.

17           “(b) The Chairperson of the Commission, or his or her designee, who must be a member  
18 of the Commission, shall convene all Commission meetings.

19           “(c) A majority of the voting members appointed to the Commission at any given time  
20 shall constitute a quorum for the transaction of official business. Official actions of the  
21 Commission shall be taken by a majority vote of the voting members present at the meeting.

1 “(d) The Commission may use space and supplies owned or rented by the District  
2 government and use staff loaned from the Council or detailed by the Mayor for purposes  
3 consistent with this act as the Commission may determine.”.

4 Sec. 5053. Section 2(f)(53) of the of the Confirmation Act of 1978, effective March 3,  
5 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(53)) is amended to read as follows:

6 “(53) The Commission on Health Equity.”.

7 **SUBTITLE G. TEEN PREGNANCY PREVENTION FUND AMENDMENT**

8 Sec. 5061. Short Title.

9 This title may be cited as the “Teen Pregnancy Prevention Fund Amendment Act of  
10 2016”.

11 Sec. 5062. Sections 5142 through 5147 of the Fiscal Year 2015 Budget Support Act of  
12 2014, effective February 26, 2015, (D.C. Law 20-155; D.C. Official Code § 1-325.321 *et seq.*) is  
13 amended to read as follows:

14 Sec. 5042. Definitions.

15 For the purposes of this subtitle, the term:

16 (1) “Fund” means the Teen Pregnancy Prevention Fund established in section 5143.

17 (2) “Grant–managing entity” means the Department of Health, as authorized by section  
18 5146.

19 Sec. 5143. Teen Pregnancy Prevention Fund.

20 (a) There is established a Teen Pregnancy Prevention Fund to provide grants to nonprofit  
21 organizations.

22 (b) The Fund is designed to provide grants to nonprofit organizations to implement  
23 programs consistent with an evidence-based, community-wide teen pregnancy prevention model

1 including but not limited to health services for teens, reproductive health education, professional  
2 development and training, research and policy development, and public education and  
3 awareness. Grant awards from the Fund shall be made by the Department of Health for the  
4 purposes identified in subsection (c) of this section.

5 (c) Grants shall be awarded, subject to the availability of funding, as follows:

6 (1) All grants shall be awarded on a competitive basis;

7 (2) The grant funds shall be used exclusively to serve District of Columbia residents; and

8 (3) All grants shall be subject to District transparency requirements, such as Freedom of  
9 Information Act requests.

10 (d) The Fund shall be administered pursuant to the requirements set forth in the Grant  
11 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20–61; D.C. Official Code  
12 § 1–328.11 *et seq.*).

13 Sec. 5144. Required information before approval.

14 (a) To be eligible to receive a grant from the grant-managing entity pursuant to section  
15 5143, a grantee shall submit the following required documentation to the grant-managing entity,  
16 as well as any additional information required by the grant-managing entity:

17 (1) Internal Revenue Service certification that the organization is tax-exempt under  
18 section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A 24  
19 Stat. 163; 26 U.S.C. § 501(c)(3));

20 (2)(A) The organization's most recent financial audit, not more than 2 years old; or

21 (B) A recent financial statement, not more than one year old, prepared by a  
22 certified accountant that shows that the organization is in good financial standing and  
23 which delineates its:

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- (i) Existing assets and liabilities;
- (ii) Pending lawsuits, if any; and
- (iii) Pending and final judgments, if any;

(3) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;

(4) A notarized statement from the grantee certifying that:

- (A) The organization is current on District and federal taxes;
- (B) The grant-managing entity is authorized to verify the organization's tax status with the Office of Tax and Revenue and the Office of Tax and Revenue is authorized to release this information to the grant-managing entity;

(C) The grant-managing entity shall have access to the grantee's financial, administrative, and operational records, including specific consent for the grant-managing entity to access its books, accounts, records, findings, and documents related to the grant; and

(D) The grantee is registered with the Department of Consumer and Regulatory Affairs;

(5) A comprehensive program statement that includes a detailed:

- (A) Scope of work; and
- (B) Budget that describes how the grant funds shall be spent; and

(6) Any other document specified by the Department of Health in a request for grant submissions

Sec. 5066. Reporting requirements.

1 Beginning December 1, 2017, the grant-managing entity shall submit a semi-annual  
2 report to the Council of all District funds allocated, which includes:

- 3 (1) Detailed grantee data;
- 4 (2) Performance measures and performance outcomes under each grant;
- 5 (3) The specific services provided under each grant;
- 6 (4) The entity providing the services, if one other than the grantee;
- 7 (5) The time period of delivery of the services;
- 8 (6) The type of service provided;
- 9 (7) The actual amount paid for the services; and
- 10 (8) The amount of other expenditures under the grant, if any.

11 Sec. 5067. Authorization for grant-managing entity.

12 For Fiscal Year 2017 and each fiscal year thereafter, the Department of Health is  
13 designated as the grant-managing entity.

14 Sec. 5068. Limitation on duplicative projects.

15 The grant-managing entity shall take steps to avoid awarding grants to a nonprofit that  
16 has been awarded or is being awarded funds for the same or similar program purposes for which  
17 it is applying for funding from the Fund.

18 **SUBTITLE H. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**  
19 **PAYMENT**

20 Sec. 5071. Short title.

21 This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Act of  
22 2016".

23 Sec. 5072. Definitions.

1 For the purposes of this subtitle, the term:

2 (1) "Department" means the Department of Health Care Finance.

3 (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the  
4 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983,  
5 effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any  
6 hospital operated by the federal government.

7 (3) "Hospital system" means any group of hospitals licensed separately, but operated,  
8 owned, or maintained by a common entity.

9 (4) "Medicaid" means the medical assistance programs authorized by Title XIX of the  
10 Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.), and by section 1  
11 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of  
12 the Social Security Act for a medical assistance program, and for other purposes, approved December  
13 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

14 (5) "Outpatient gross patient revenue" means the amount calculated in accordance  
15 with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and  
16 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form  
17 CMS 2552-10), filed for the period ending between October 1, 2013, and September 30, 2014.

18 Sec. 5073. Hospital Provider Fee Fund.

19 (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall  
20 be administered by the Department in accordance with subsections (c) and (d) of this section.

21 (b) Revenue from the following sources shall be deposited in the Fund:

22 (1) Fees collected under this subtitle; and

23 (2) Interest and penalties collected under this subtitle.

1 (c) Money in the Fund may only be used for the following purposes:

2 (1) Making Medicaid outpatient hospital access payments to hospitals as required  
3 under section 5076;

4 (2) Payment of administrative expenses incurred by the Department or its agent in  
5 performing the activities authorized by this subtitle in an amount not to exceed \$150,000 annually;  
6 and

7 (3) Providing refunds to hospitals pursuant to section 5075.

8 (d) Money in the Fund may not be used to replace money appropriated to the Medicaid  
9 program.

10 (e)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
11 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or  
12 at any other time.

13 (2) Subject to authorization in an approved budget and financial plan, any funds  
14 appropriated in the Fund shall be continually available without regard to fiscal year limitation. Sec.  
15 5074. Hospital provider fee.

16 (a) Beginning October 1, 2016, and subject to section 5075, the District may charge each  
17 hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate  
18 necessary to generate the following:

19 (1) An amount equal to the non-federal share of the total available spending room  
20 under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Year  
21 (“DFY”) 2017 consistent with the federal approval of the authorizing Medicaid State Plan  
22 amendment; plus

1 (2) An amount equal to the non-federal share of the total available spending room  
2 under the Medicaid upper payment limit for District operated hospitals applicable to DFY 2017  
3 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

4 (3) An amount equal to the Department's administrative expenses as described in  
5 section 5073(c)(2).

6 (b) A psychiatric hospital that is an agency or a unit of the District government is exempt from  
7 the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be  
8 unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of  
9 the District government shall pay the fee imposed by subsection (a) of this section.

10 Sec. 5075. Applicability of fees.

11 (a) The fee imposed by section 5074 shall not be due and payable until such time that the  
12 federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment  
13 authorizing the Medicaid payments described in section 5076.

14 (b) The fee imposed by section 5074 shall cease to be imposed, and any moneys remaining in  
15 the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

16 (1) The Department makes changes in its rules that reduce the hospital inpatient or  
17 outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October  
18 1, 2014; or

19 (2) The payments to hospitals required under section 5076 are modified in any way  
20 other than to secure federal approval of such payments as described in section 5076 or are not eligible  
21 for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965  
22 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

1 (c) The fee imposed by section 5074 shall not take effect or shall cease to be imposed if the fee  
2 is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by  
3 the Centers for Medicare and Medicaid Services.

4 (d) Should the fee imposed by section 5074 not take effect or cease to be imposed, moneys in  
5 the Fund derived from the imposed fee shall be disbursed in accordance with section 5076 to the  
6 extent federal matching is available. If federal matching is not available due to a determination by the  
7 Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys  
8 shall be refunded to hospitals in proportion to the amounts paid by them.

9 Sec. 5076. Medicaid outpatient hospital access payments.

10 (a)(1) For visits and services beginning October 1, 2016, quarterly Medicaid outpatient  
11 hospital access payments shall be made to each private hospital.

12 (2) Each payment will be equal to the hospital's DFY 2014 outpatient Medicaid  
13 payments divided by the total in District private hospital DFY 2014 outpatient Medicaid payments  
14 multiplied by 1/4 of the total outpatient private hospital access payment pool.

15 (3) The total outpatient private hospital access payment pool is equal to the total  
16 available spending room under the private hospital outpatient Medicaid upper payment limit for DFY  
17 2017.

18 (c)(1) For visits and services beginning October 1, 2016, outpatient hospital access payments  
19 shall be made to the United Medical Center.

20 (2) Each payment will be equal to one quarter of the total outpatient public hospital  
21 access payment pool.

1 (3) The total outpatient public hospital access payment pool is equal to the total  
2 available spending room under the District-operated hospital outpatient Medicaid upper payment limit  
3 for DFY 2017.

4 (d) The quarterly Medicaid outpatient hospital access payments shall be made within 15  
5 business days after the end of each DFY quarter for the Medicaid visits and services rendered during  
6 that quarter.

7 (e) No payments shall be made under this section until such time that the federal Centers for  
8 Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the  
9 Medicaid payments described in this subtitle.

10 (f) The Medicaid payment methodologies authorized under this subtitle shall not be altered in  
11 any way unless such alteration is necessary to gain federal approval from the Centers for Medicare  
12 and Medicaid Services.

13 Sec. 5077. Quarterly notice and collection.

14 (a) The fee imposed under section 5074, which shall be calculated, due, and payable on a  
15 quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided,  
16 that the fee shall not be due and payable until:

17 (1) The District issues written notice that the payment methodologies for payments to  
18 hospitals required under section 5076 have been approved by the federal Centers for Medicare and  
19 Medicaid Services; and

20 (2) The District issues written notice to the hospital informing the hospital of its fee  
21 rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis,  
22 including, in the initial written notice from the District to the hospital, all fee amounts owed beginning

1 with the period commencing on October 1, 2016, to ensure all applicable fee obligations have been  
2 identified.

3 (b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the  
4 unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall  
5 be added to the unpaid balance.

6 (2) The Chief Financial Officer may arrange a payment plan for the amount of the fee  
7 and interest in arrears.

8 (c) The payment by the hospital of the fee created in this subtitle shall be reported as an  
9 allowable cost for purposes of Medicaid hospital reimbursement.

10 Sec. 5078. Multi-hospital systems, closure, merger, and new hospitals.

11 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the  
12 Department of Health, the hospital system shall pay the fee for each hospital separately. (b)(1)  
13 Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct,  
14 operate, or maintain a hospital that is subject to a fee under section 5074, as evidenced by the transfer  
15 or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted  
16 by multiplying the fee computed under section 5074 by a fraction, the numerator of which is the  
17 number of days in the year during which the hospital system or person conducted, operated, or  
18 maintained the hospital, and the denominator of which is 365.

19 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital  
20 system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

21 (c) Notwithstanding any other provision in this subtitle, a hospital system or person who  
22 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed  
23 under section 5074 and subsection (a) of this section in installments on the due date stated in the

1 notice and on the regular installment due dates for the DFY occurring after the due dates of the initial  
2 notice.

3 Sec. 5079. Rules.

4 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
5 approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-501 et seq.), may issue rules to  
6 implement the provisions of this subtitle.

7 Sec. 5080. Sunset.

8 This subtitle shall expire on September 30, 2017.

9 **SUBTITLE I. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL PAYMENT**

10 Sec. 5081. Short title.

11 This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Act of 2016".

12 Sec. 5082. Definitions.

13 For the purposes of this subtitle, the term:

14 (1) "Department" means the Department of Health Care Finance.

15 (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the  
16 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983,  
17 effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any  
18 hospital operated by the federal government and any specialty hospital, as defined by the District of  
19 Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed under a specialty  
20 hospital reimbursement methodology under the State Plan.

21 (3) "Hospital system" means any group of hospitals licensed separately but operated,  
22 owned, or maintained by a common entity.

1 (4) "Inpatient net patient revenue" means the amount calculated in accordance with  
2 generally accepted accounting principles for hospitals as derived from each hospital's filed Hospital  
3 and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending  
4 between October 1, 2013, and September 30, 2014, using the references below:

5 (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18.

6 (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and  
7 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18.

8 (C) Divided by: Worksheet G-2; Column 3; Line 28

9 (D) Multiplied by: Worksheet G-2; Column 1; Line 3 (5) "Medicaid" means  
10 the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30,  
11 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.) ("Social Security Act"), and by section 1 of An Act To  
12 enable the District of Columbia to receive Federal financial assistance under title XIX of the Social  
13 Security Act for a medical assistance program, and for other purposes, approved December 27, 1967  
14 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

15 Sec. 5083. Hospital Fund.

16 (a) There is established as a special fund the Hospital Fund ("Fund"), which shall be  
17 administered by the Department in accordance with subsection (c) of this section.

18 (b) Revenue from the following sources shall be deposited in the Fund:

19 (1) Fees collected under this subtitle;

20 (2) Interest and penalties collected under this subtitle; and

21 (3) Other amounts collected under this subtitle.

22 (c) Money in the Fund shall be used solely as set forth in section 5084 (a)(2) of this subtitle.

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

4 (2) Subject to authorization in an approved budget and financial plan, any funds  
5 appropriated in the Fund shall be continually available without regard to fiscal year limitation;  
6 provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to  
7 hospitals in proportion to the amounts paid by them.

8 Sec. 5084. Hospital provider fee.

9 (a)(1) Beginning October 1, 2016, and except as provided in subsection (b) of this section and  
10 section 5087, the District, through the Office of Tax and Revenue, may charge each hospital a fee  
11 based on its inpatient net patient revenue.

12 (2) The fee shall be charged at a uniform rate necessary to generate no more than  
13 \$10.4 million. Of this amount, \$1.4 million may be used to support the Medicaid Managed Care  
14 Organization rates for inpatient hospitalization. The remaining amount shall be used to support the  
15 maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year (“DFY”) 2015  
16 level of 98% of cost to non-specialty hospitals.

17 (3) The fee collected pursuant to this section shall be deposited in the Hospital Fund,  
18 established by section 5083.

19 (b) A psychiatric hospital that is an agency or a unit of the District government is exempt from  
20 the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be  
21 unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of  
22 the District government shall pay the fee imposed by subsection (a) of this section.

1 (c) If necessary, by August 1, 2016, the Department shall submit a provider tax waiver  
2 application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle  
3 qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the  
4 Social Security Act.

5 Sec. 5085. Quarterly notice and collection.

6 (a) The fee imposed under section 5084 shall be due and payable by the 15th of the last month  
7 of each DFY quarter.

8 (b) The fee imposed under section 5084 shall be calculated, due, and payable on a quarterly  
9 basis, but shall not be due and payable until the District issues written notice to each hospital  
10 informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee  
11 amount owed on a quarterly basis, including, in the initial written notice from the District to the  
12 hospital, all fee amounts owed beginning with the period October 1, 2016, to ensure all applicable fee  
13 obligations have been identified.

14 (c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid  
15 balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be  
16 added to the unpaid balance.

17 (2) The Chief Financial Officer may arrange a payment plan for the amount of the fee  
18 and interest in arrears.

19 (d) The payment by the hospital of the fee created in this subtitle shall be reported as an  
20 allowable cost for purposes of Medicaid hospital reimbursement.

21 Sec. 5086. Multi-hospital systems, closure, merger, and new hospitals.

22 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the  
23 Department of Health, the hospital system shall pay the fee for each hospital separately. (b)(1)

1 Notwithstanding section 5084, if a hospital system or person that is subject to a fee under section 5084  
2 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a  
3 hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the  
4 fee computed under section 5084 by a fraction, the numerator of which is the number of days in the  
5 year during which the hospital system or person conducts, operates, or maintains the hospital and the  
6 denominator of which is 365.

7 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital  
8 system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

9 (c) Notwithstanding any other provision of this subtitle, a hospital system or person who  
10 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required  
11 under 5084 in accordance with subsection (a) of this section on the due date stated in the notice and on  
12 the regular installment due dates for the DFY occurring after the due date of the initial notice.

13 Sec. 5087. Federal determinations; suspension and termination of assessment.

14 (a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed  
15 on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial  
16 participation set forth in section 1903(w) of the Social Security Act that determination shall not affect  
17 the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed  
18 by this subtitle.

19 (b) If the Centers for Medicare and Medicaid Services determines that an exclusion for  
20 specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from  
21 qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of  
22 the Social Security Act, the exclusion of specialty hospitals shall not be made.

1           Sec. 5088. Rules. The Mayor, pursuant to Title I of the District of Columbia Administrative  
2 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may  
3 issue rules to implement the provisions of this subtitle.

4           Sec. 5089. Sunset. This subtitle shall expire on September 30, 2017.

5           **SUBTITLE J. PROGRAM ON WORK, EMPLOYMENT, AND**  
6 **RESPONSIBILITY (POWER) AMENDMENT**

7           Sec. 5091. Short title.

8           This subtitle may be cited as the “Program on Work, Employment, and Responsibility  
9 Amendment Act of 2016”.

10          Sec. 5092. The District of Columbia Public Assistance Act of 1982, effective April 6,  
11 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

12           (a) Section 572(a) (D.C. Official Code § 4-205.72(a)) is amended by striking the phrase  
13 “and sections 573” and inserting the phrase “and sections 572a” in its place.

14           (b) Section 572a (D.C. Official Code § 4-205.72a) is amended as follows:

15                   (1) Subsection (a)(1A) is repealed.

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

17           **SUBTITLE A. WILDLIFE PROTECTION RULEMAKING AUTHORITY**

18          Sec. 6001. This subtitle may be cited as the Wildlife Protection Rulemaking Amendment  
19 Act of 2016.

20          Sec. 6002. The Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-  
21 289; D.C. Official Code § 8-2201 *et seq.*) is amended as follows:

22           (a) Section 2 (D.C. Official Code § 8-2201) is amended as follows:

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

1 “(2) “Department” means the Department of Energy and Environment.”.

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

3 “(3) “Director” means the Director of the Department.”.

4 (b) Section 10(b) (D.C. Official Code § 8-2209(b)) is repealed.

5 (c) Section 12 (D.C. Official Code § 8-2211) is amended as follows:

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

7 “(a) The Mayor, pursuant to the District of Columbia Administrative Procedure  
8 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2–501 *et seq.*), may issue  
9 rules to implement the provisions of this act, including establishing fines and fees necessary to  
10 support the implementation of this act.”.

11 (2) New subsections (c) and (d) are added to read as follows:

12 “(c) The Mayor may require reimbursement of costs for services, including  
13 inspections, sample collection, document review, or other reasonable costs or fees incurred in  
14 implementing this part or a regulation promulgated pursuant to this act.

15 “(d) The Mayor may impose civil infraction penalties, fines, and fees as  
16 alternative sanctions for any violation of this act or a regulation promulgated pursuant to this act,  
17 pursuant to the procedures of the Department of Consumer and Regulatory Affairs Civil  
18 Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-  
19 1801.01 *et seq.*)”.

20 **SUBTITLE B. BROWNFIELD REVITALIZATION**

21 Sec. 6011. This subtitle may be cited as the Brownfields Revitalization Amendment Act  
22 of 2016.

1           Sec. 6012. The Brownfields Revitalization Amendment Act of 2000, effective June 13,  
2 2001 (D.C. Law 13-312; D.C. Official Code § 8-631.01 *et seq.*), is amended as follows:

3           (a) Section 102 (D.C. Official Code § 8-631.02) is amended as follows:

4           (1) Section 102(2) is amended by:

5                   (A) Striking the word “industrial” and inserting the phrase “underutilized”  
6 in its place; and

7                   (B) Striking the phrase “or redevelopment” and inserting the phrase “,  
8 redevelopment, or reuse of which”.

9           (2) Section 102(4) is amended to read as follows:

10                   “(4) “Department” means the Department of Energy and Environment.”

11           (3) Section 102(5) is amended to read as follows:

12                   “(5) “Eligible property” means a brownfield or any contaminated property in the  
13 District, unless the site is:

14                           “(A) Listed on the National Priorities List pursuant to the Comprehensive  
15 Environmental Response, Compensation, and Liability Act of 1980, approved December 11,  
16 1980 (94 Stat. 2767; 42 U.S.C. 9601 *et seq.*);

17                           “(B) The subject of a current cleanup action by the Environmental  
18 Protection Agency; or

19                           “(C) (i) Only contaminated by petroleum, (ii) the applicant previously  
20 agreed to a cleanup plan for that site under the Department’s underground storage tank program,  
21 and (iii) construction work (other than operation, maintenance, or monitoring work) to carry out  
22 that plan is not yet complete.”.

1 (4) Section 102(8) is amended by striking “DDOE” and inserting “Department” in  
2 its place.

3 (5) Section 102(10) is amended to read as follows:

4 “(10) “Institutional control” means any legal or administrative mechanism  
5 meant to prevent contamination or the potential exposure to hazardous substances or to prevent  
6 activities that could interfere with the effectiveness of a response action, including any measure  
7 to ensure that the use of the property, after completion of response or cleanup action pursuant to  
8 this chapter, remains consistent with the any hazardous substance concentrations, as approved by  
9 the Department in the Certificate of Completion and an environmental covenant, pursuant to  
10 Chapter 6C of this title.”.

11 (b) Section 201(c)(6)(H) (D.C. Official Code § 8-632.01(c)(6)(H)) is amended by striking  
12 the word “DDOE” and inserting the phrase “the Department” in its place.

13 (c) Section 202 (D.C. Official Code § 8-632.02) is amended as follows:

14 (1) Section 202(a)(4) is amended by striking the phrase “, if reasonable  
15 precautions were taken to prevent foreseeable releases” and inserting the phrase “in accordance  
16 with 42 U.S.C. § 9607(b)(3)” in its place;

17 (2) Section 202(a)(5) is repealed;

18 (3) Section 202(a)(6) is amended by inserting the phrase “, consistent with the  
19 standards in 42 U.S.C. § 9601(35)(B),” after the phrase “if due diligence had been exercised”;

20 (4) Section 202(b)(1) is amended by inserting the phrase “, in accordance with 42  
21 U.S.C. § 9607(q)(1)(C),” after the phrase “operator of a facility shall not be liable” in its place;  
22 and

23 (5) Section 202 is amended by adding a new paragraph (c) to read as follows:

1           “(c) A person shall not be liable pursuant to § 8-632.01(b) if that person  
2 establishes, by a preponderance of the evidence, that it is an innocent landowner, in accordance  
3 with 42 U.S.C. §§ 9601(35) and 9607(b)(3), or a contiguous property owner, in accordance with  
4 42 U.S.C. § 9607(q)(1)(A), (B), and (D).”.

5           (c) Section 203(a) is amended by striking the word “DDOE” and inserting the phrase “the  
6 Department” in its place.

7           (d) Section 301 (D.C. Official Code § 8-633.01) is amended as follows:

8                   (1) Paragraph (a) is amended by:

9                           (A) Striking the phrase “within DDOE” and inserting the phrase “within  
10 the Department”; and

11                           (B) Striking the phrase “The DDOE” and inserting the phrase “The  
12 Department”.

13                   (2) Paragraph (b) is amended by striking the phrase “the DDOE” and inserting the  
14 phrase “the Department” in its place.

15                   (3) By adding new paragraphs (c), (d), and (e) to read as follows:

16                           “(c) The Department may implement a licensed site remediation program, which  
17 shall allow certified individuals to perform professional remediation services following written  
18 guidelines, supervise the remediation of contaminated sites, and protect the safety, health, and  
19 welfare of the public. If the Department creates the program, it shall issue regulations to  
20 implement the program. Any such program shall provide for an independent third-party review  
21 of cleanups undertaken under that program for conformity with applicable requirements.  
22 Independent review shall be at the cost of the applicant.”;

1                   “(d) When applying the term “hazardous substance” to the Voluntary Cleanup  
2 Program, the term shall also mean petroleum, as the term is used in D.C. Official Code § 8-  
3 113.01(6).”; and

4                   “(e) The Director shall address conditional certificates of completion and cleanup  
5 standards in the next guidance document related to the Voluntary Cleanup Program.”.

6                   (d) Section 302 (D.C. Official Code § 8-633.02) is amended as follows:

7                   (1) Section 302(a) is amended by:

8                                   (A) Striking the phrase “by DDOE” and inserting the phrase “by the  
9 Department” in its place;

10                                  (B) Subparagraph (a)(5) is amended to read as follows:

11                                   “(5) A descriptive summary of a proposed cleanup action plan that  
12 conforms to Department cleanup standards;”

13                                  (C) Subparagraph (a)(6) is amended by striking the “;” at the end of the  
14 line and inserting the phrase “; and” in its place;

15                                  (D) By adding new paragraphs (7) and (8) to read as follows:

16                                   “(7) (A) A certification under penalty of perjury that the applicant, any  
17 contractor or any laboratory who is scheduled to work on the cleanup, and any of the  
18 aforementioned entities’ supervisory employees likely to work on the cleanup:

19   “(i) Is not currently suspended or debarred from contracting  
20 with the United States government, or any agency of the United States government, or from  
21 contracting with the District government, or any agency of the District government;

22   “(ii) Is not currently under indictment for any felony under  
23 federal, state, or District law;

1                                   “(iii) Has not been convicted of any criminal violation of  
2 any federal, state, or District environmental law in the last five years;

3                                   “(iv) Has never been convicted of any crime involving false  
4 statement, perjury, falsification of data, obstruction of justice or obstruction of an investigation,  
5 witness tampering, mail fraud, wire fraud, or laboratory fraud; and

6                                   “(v) Has not been issued, and failed to cure, any  
7 administrative order issued by the U.S. Environmental Protection Agency, any other state’s  
8 environmental agency, or the Department of Energy and Environment or any predecessor.

9                                   “(B) If there is a subsequent material change in the facts which  
10 would render the certifications in (a)(7)(A) untrue, the applicant shall give written notice to the  
11 Department of Energy and Environment within seven calendar days of discovering the material  
12 change. The Department may, in its discretion, allow the applicant to complete pending work on  
13 such additional terms and condition as the Director reasonably requires to ensure the proper  
14 completion of the work and the integrity of the data supporting any decisions about completion.  
15 Such additional terms and conditions may include replacement of contractors or laboratories.”;

16                                   “(8) (A) A descriptive summary explaining how:

17                                   “(i) The proposed cleanup will result in the removal of any  
18 lead service lines for potable water;

19                                   “(ii) The proposed cleanup work itself will comply with  
20 current regulations governing stormwater management and soil erosion and sediment controls;  
21 and



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

2 (A) By striking the phrase “to DDOE” and inserting the phrase “to the  
3 Department” in its place;

4 (B) By striking the phrase “DDOE cleanup standards” and inserting the  
5 phrase “Department cleanup standards” in its place; and

6 (C) By striking the phrase “DDOE shall consider” and inserting the phrase  
7 “the Department shall consider” in its place.

8 (3) Paragraph (b) is amended by striking the phrase “DDOE shall” wherever it  
9 appears and inserting the phrase “the Department shall” in its place.

10 (4) Paragraph (c) is amended by striking the word “DDOE” and inserting the  
11 phrase “the Department” in its place.

12 (5) Paragraph (e) is amended by striking the word “DDOE” and inserting the  
13 phrase “the Department” in its place.”

14 (f) Section 304(b) (D.C. Official Code § 8-633.04(b)) is amended to read as follows:

15 “(b) A participant shall post with the Department a letter of credit, performance bond, or  
16 comparable financial assurance mechanism approved by the Director, before the participant may  
17 perform any cleanup action on the property. The Director shall determine the amount of the  
18 posted letter of credit, performance bond, or comparable financial assurance mechanism, as  
19 necessary to secure and stabilize the eligible property if the cleanup action plan is not  
20 implemented in accordance with the approved plan. The financial assurance mechanism shall be  
21 null and void upon the issuance of a Certificate of Completion to the participant, or 16 months  
22 after the date of withdrawal if the participant withdraws from the Program. The obligation of the  
23 financial assurance mechanism shall be due and payable upon notification by the Director that

1 action must be taken to fulfill the withdrawal requirements of this chapter to stabilize the  
2 property.”.

3 (g) Section 305 (D.C. Official Code § 8-633.05) is amended as follows:

4 (1) Section 305(a) is repealed;

5 (2) Section 305(b) is amended by striking the phrase “Until the cleanup standards  
6 required by subsection (a) of this section are adopted, the following guidelines shall apply to  
7 voluntary cleanup actions:”;

8 (3) Section 305(b) is amended to read as follows:

9 “(b)(1) Participants shall select one or more of the following criteria that protects  
10 public health and the environment, as may be appropriate when performing a voluntary cleanup  
11 action:

12 “(A) Uniform numeric risk-based standards;

13 “(B) Measurable standards based on site-specific risk assessments;

14 “(C) Background levels;

15 “(D) Federal or State soil standards or water quality standards;

16 “(E) Standards based on federal or State maximum contaminant levels  
17 (MCLs); or

18 “(F) Any other federal or state standards.

19 “(2) Cleanup standards shall account for the reasonably anticipated future use(s)  
20 of the property.

21 “(3) Cleanup standards established by the Department based on the District’s  
22 environmental laws or regulations in effect at the time of application into the Voluntary Cleanup  
23 Program, shall apply when performing a voluntary cleanup action.”

1 (h) Section 306 (D.C. Official Code § 8-633.06) is amended as follows:

2 (1) Section 306 is amended by striking the word “business” wherever it appears  
3 and inserting the word “calendar” in its place;

4 (2) By striking the word “DDOE” wherever it appears and inserting the phrase  
5 “the Department” in its place;

6 (3) Paragraph (c) is amended by striking the phrase “notice pursuant to subsection  
7 (a) of this section” and inserting “end of the required public notice period of § 8-636.01(b)” in its  
8 place;

9 (4) Paragraph (e) is repealed;

10 (5) Paragraph (f) is amended by:

11 (A) Striking the phrase “If a Certificate of Completion is conditioned on  
12 the permissible use of the property for commercial or industrial use, the” and inserting the word  
13 “The” in its place; and

14 (B) Inserting the phrase “and provide a recordation receipt to the Director”  
15 after the phrase “the Recorder of Deeds”;

16 (6) Subparagraph (i)(5) is amended by striking the word “maintain” and inserting  
17 “comply with an” in its place;

18 (7) A new paragraph (k) is inserted to read as follows:

19 “(k) At the Director’s sole discretion, the Department may issue a conditional  
20 Certificate of Completion to a participant or to a person who intends to apply to the Voluntary  
21 Cleanup Program. The Director may issue a conditional Certificate of Completion at any time  
22 before a participant submits the cleanup completion report required by paragraph (a). The  
23 conditional Certificate of Completion shall state that the Department shall issue a Certificate of

1 Completion to the person if the person fully satisfies all requirements of the Voluntary Cleanup  
2 Program, including the cleanup action plan.

3 “(1) A conditional Certificate of Completion shall apply only to the  
4 specified property or properties.

5 “(2) A conditional Certificate of Completion shall be transferable.”.

6 (i) Section 307 (D.C. Official Code § 8-633.07) is amended by striking the word  
7 “DDOE” and inserting the phrase “the Department” in its place.

8 (j) Section 411 (D.C. Official Code § 8-634.11) is amending by striking the word  
9 “DDOE” and inserting the phrase “the Department” in its place.

10 (k) Section 501 (D.C. Official Code § 8-635.01) is amended as follows:

11 (1) By striking the word “DDOE” wherever it appears and inserting the phrase  
12 “The Department” in its place;

13 (2) Paragraph (b) is amended by:

14 (A) Deleting the phrase “and properties adversely affected by” and  
15 inserting the word “where” in its place;

16 (B) Deleting the phrase “from the cleaned up properties” and inserting the  
17 phrase “are allowed to remain in place under applicable cleanup standards” in its place; and

18 (C) Deleting the phrase “The instruments shall include:”.

19 (D) Subparagraph 501(b)(1) is repealed;

20 (E) Subparagraph 501(b)(2) is repealed;

21 (F) Subparagraph 501(b)(3) is repealed;

22 (G) Subparagraph 501(b)(3A) is repealed; and

23 (H) Subparagraph 501(b)(4) is repealed;

1 (3) Subparagraph 501(d) is amended by:

2 (A) Striking the phrase “Any instruments issued” and inserting “Any  
3 environmental covenant, and any instrument issued prior to January 1, 2017, issued” in its place;  
4 and

5 (B) Striking the phrase “any other instrument issued pursuant to this  
6 section” and inserting the phrase “any other instrument used in accordance with this section”;  
7 and

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

9 “(e) The Department and other District agencies are encouraged to use  
10 environmental covenants pursuant to Chapter 6C of this title, entitled Uniform Environmental  
11 Covenants , D.C. Code Official § 8-671.01 *et seq.*, as the instrument of choice when an  
12 institutional control or activity and use limitation is needed. The Department shall retain  
13 authority to use other types of instruments, such as permits, orders, restrictive covenants,  
14 easements, and notices.”.

15 (l) Section 601 (D.C. Official Code § 8-636.01) is amended as follows:

16 (1) Section 601(a) is amended to read as follows:

17 “(a) After the Department receives an application to the Voluntary Cleanup  
18 Program, a public notice of the application shall be issued. Prior to approval of a cleanup action  
19 plan, and before the issuance of a Certificate of Completion, public notice shall be issued giving  
20 the public a 21-day period to comment on the proposed approval or issuance. The Department  
21 shall consider public comments received pursuant to this section before approving a cleanup  
22 action plan or issuing a Certificate of Completion.”;

23 (2) Section 601(b) is amended to read as follows:

1           “(b) The Department shall publish all public notices required under paragraph (a)  
2 in the *District of Columbia Register* and may publish them on the Department website.”;

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

4           “(c) Within five (5) calendar days of receipt from the Department of a public  
5 notice required under paragraph (a), the participant shall mail the public notice to the Advisory  
6 Neighborhood Commission in the neighborhood where the eligible property is located and  
7 publish the public notice in a newspaper of general circulation where the site is located, by  
8 display advertisement, legal notice, or any other appropriate format, as determined by the  
9 Department..”; and

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

11          “(d) All public notices required under paragraph (a) shall include:

12                 “(1) A summary of the proposed action;

13                 “(2) The name and address of the participant and eligible property;

14                 “(3) The name, address, and telephone number of the office within the  
15 Department from which information about the proposed action may be obtained;

16                 “(4) An address, or e-mail address, to which persons may submit written  
17 comments about the proposed action, if applicable; and

18                 “(5) A deadline for the close of the public comment period by which  
19 written comments must be received by the Department, if applicable.”.

20          (m) Section 602 (D.C. Official Code § 8-636.02) is amended by striking the word  
21 “DDOE” and inserting the phrase “the Department” in its place.

22          (n) Section 702 (D.C. Official Code § 8-637.02) is amended by striking the word  
23 “DDOE” and inserting the phrase “the Department” in its place.

1           **SUBTITLE C. AIR QUALITY ENFORCEMENT**

2           Sec. 6021. This subtitle may be cited as the “Air Quality Rulemaking Amendment Act of  
3 2016”.

4           Sec. 6022. The District of Columbia Air Pollution Control Act of 1984, effective March  
5 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*) is amended as follows:

6           (a) Section 5 (D.C. Official Code § 8-101.05) is amended by striking the phrase “the  
7 District Department of the Environment” and inserting the phrase “Department of Energy and  
8 Environment”; and

9           (b) Section 6 (D.C. Official Code § 8-101.06) is amended as follows:

10           (1) Paragraph (b) is repealed;

11           (2) Paragraph (c) is amended to read as follows:

12           “(c) The Mayor, pursuant to the District of Columbia Administrative Procedure  
13 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2–501 *et seq.*), may issue  
14 rules to implement the provisions of this part, including establishing fines, permit fees, and other  
15 fees necessary to support the implementation of this part.”; and

16           (3) By adding a new paragraph (d) to read as follows:

17           “(d) The Mayor may require reimbursement of costs for services, including  
18 inspections, sample collection, document review, or other reasonable costs or fees incurred in  
19 implementing this part or a regulation promulgated pursuant to this part.”.

20           **SUBTITLE D. ENERGY INNOVATION AND SAVINGS**

21           Sec. 6031. This subtitle may be cited as the “Energy Innovation and Savings Amendment  
22 Act of 2016”.

1           Sec. 6032. The Energy Innovation and Savings Amendment Act of 2012, effective March  
2 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*) is amended as follows:

3           (a) Section 201 (D.C. Official Code § 8-1772.01) is amended as follows:

4                 (1) Paragraph (2) is repealed.

5                 (2) Paragraph (3) is amended by striking the phrase “; provided, that the term  
6 “commercial property” shall not include a small store, hotel, or restaurant”.

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

8                     “(3A) “Department” means the Department of Energy and Environment.”.

9                 (4) Paragraph (5) is repealed.

10           (b) Section 202 (D.C. Official Code § 8-1772.02) is amended to read as follows:

11                 “(a) A commercial property shall keep exterior doors and windows closed when an air  
12 conditioner that cools the adjacent area is in operation..

13                 “(b) The Mayor shall identify, through rules adopted pursuant to section 6 of the District  
14 of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C.  
15 Official Code § 2-505), circumstances when, in the public interest, a commercial area may open  
16 exterior doors or windows while an air conditioner that cools the adjacent area is in operation.

17                 “(c) Subsection (a) shall not apply until the Mayor adopts rules pursuant to subsection  
18 (b).”.

19           (c) Section 203(f) is amended by striking the phrase “the Director of the District  
20 Department of the Environment” and inserting the phrase “the Department” in its place.

21           **SUBTITLE E. PRODUCT STEWARDSHIP PROGRAM**

22           Sec. 6041. This subtitle may be cited as the “Product Stewardship Program Establishment  
23 Act of 2016”.

1           Sec. 6042. The Sustainable Solid Waste Management Amendment Act of 2014, effective  
2 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*) is amended as  
3 follows:

4           (a) Section 101(6) (D.C. Official Code § 8-1031.01(6)) is amended to read as follows:  
5           “(6) “DOEE” means the Department of Energy and Environment”;

6           (b) By deleting “DDOE” wherever it appears and inserting “DOEE” in its place;

7           (c) Section 115(8) (D.C. Official Code § 8-1041.01(8)) is amended by striking the word  
8 “year” and inserting the phrase “calendar year” in its place where ever it appears;

9           (d) Section 117 (D.C. Official Code § 8-1041.03) is amended as follows:

10                   (1) Paragraph (a) is amended by striking the phrase “January 1, 2016” and  
11 inserting the phrase “June 1, 2017” in its place;

12                   (2) Paragraph (b) is amended by striking the phrase “January 1, 2016” and  
13 inserting the phrase “December 31, 2016” in its place;

14                   (3) Paragraph (b)(9)(C) is amended by striking the phrase “, including how the  
15 organization will take into account the economic value of different types of covered electronic  
16 equipment”.

17                   (4) Striking the word “year” and inserting the phrase “calendar year” in its place  
18 where ever it appears; and

19                   (5) Striking the phrase “program year” and inserting the phrase “calendar year” in  
20 its place where ever it appears;

21           (e) Section 118 (D.C. Official Code § 8-1041.04) is amended as follows:

22                   (1) By striking the word “year” and inserting the phrase “calendar year” in its  
23 place where ever it appears; and

1 (2) Paragraph (d) is amended to read as follows: “Fees and fines collected under  
2 this section shall be deposited in the Product Stewardship Fund established in section 6044 of the  
3 Product Stewardship Program Establishment Act of 2016.”;

4 (f) Section 119 (D.C. Official Code § 8-1041.05) is amended as follows:

5 (1) Paragraph (a) is amended by striking the phrase “January 1, 2016” and  
6 inserting the phrase “January 1, 2017” in its place;

7 (2) Paragraph (b)(1) is amended as follows:

8 (A) By striking subparagraph (A);

9 (B) Subparagraph (D) is amended by striking the phrase “calendar years”  
10 and inserting the phrase “reporting years” in its place; and

11 (C) Subparagraph (E) is amended by striking the phrase “calendar years”  
12 and inserting the phrase “reporting years” in its place; and

13 (3) Paragraph (e) is amended by striking the phrase “January 1, 2017” and  
14 inserting the phrase “January 1, 2018” in its place;

15 (g) Section 124 (D.C. Official Code § 8-1041.10) is amended as follows:

16 (1) Paragraph (a) is amended by:

17 (A) Striking the phrase “March 1, 2017” and inserting the phrase “June 1,  
18 2018” in its place; and

19 (B) Striking the phrase “April 1” and inserting the phrase “June 1” in its  
20 place; and

21 (2) Paragraph (b) is amended by striking the phrase “March 1, 2019” and inserting  
22 the phrase “June 1, 2019”; and

23 (h) Section 124 (D.C. Official Code § 8-1041.12) is amended as follows:

1 (1) By striking Paragraph (a)(1);

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

3 “(b) The Mayor may impose civil fines and penalties as sanctions for violations of  
4 the provisions of this chapter or any rules issued under the authority of this subchapter, pursuant  
5 to Chapter 18 of Title 2 (“Civil Infractions Act”). Enforcement and adjudication of an infraction  
6 shall be pursuant to Chapter 18 of Title 2.”; and

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

8 “(c) In addition to the enforcement authority provided in subsection (b) of this  
9 section, the Mayor may seek injunctive relief or other appropriate remedy in any court of  
10 competent jurisdiction to enforce compliance with the provisions of this subchapter.”.

11 Sec. 6043. Section 5 of the Paint Stewardship Act of 2014, effective March 11, 2015  
12 (D.C. Law 20-205; D.C. Official Code § 8-233.04) is amended as follows:

13 (a) Section 5(e) is amended by striking the sentence “Permit fees collected pursuant to  
14 this section shall not exceed the cost of implementing and enforcing this subchapter.”; and

15 (b) A new paragraph (f) is added to read as follows:

16 “(f) Permit fees collected pursuant to this section shall be deposited in the Product  
17 Stewardship Fund established in section 6044 of the Product Stewardship Program  
18 Establishment Act of 2016 and shall not exceed the cost of implementing and enforcing this  
19 subchapter.”.

20 Sec. 6044. The Sustainable Solid Waste Management Amendment Act of 2014, effective  
21 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1041.01 *et seq.*) is amended by  
22 adding a new Section 118a to read as follows:

23 “Section 118a. Product Stewardship Fund.”

1           “(a) There is established as a non-lapsing special purpose revenue fund, the Product  
2 Stewardship Fund.

3           “(b) The registration and shortfall fees charged under section 118 of this act shall be  
4 deposited into the Fund.

5           “(c) Permit fees collected pursuant to section 5 of the Paint Stewardship Act of 2014,  
6 effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.04).

7           “(d) The Fund may be used for the purposes of supporting and administering product  
8 stewardship programs in the District of Columbia.

9           “(e) The money deposited into the Fund shall not revert to the General Fund of the  
10 District of Columbia at the end of a fiscal year, or any other time.

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

### 13           **SUBTITLE F. DCSEU REPORTING TIMELINE**

14           Sec. 6051. This subtitle may be cited as the “Clean and Affordable Energy Amendment  
15 Act of 2016”.

16           Sec. 6052. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
17 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

18           (a) Section 101 (D.C. Official Code § 8-1773.01) is amended as follows:

19                   (1) Paragraph (2) is amended to read as follows:

20                           “(2) “Department” means the Department of Energy and Environment.”;

21                           (2) By striking the phrase “District Department of the Environment” and inserting  
22 the phrase “the Department” in its place wherever it appears; and

1 (3) By striking the phrase “the DDOE” and inserting “the Department” in its place  
2 wherever it appears;

3 (b) By striking the phrase “the DDOE” and inserting the phrase “the Department” in its  
4 place wherever it appears;

5 (c) By striking the word “DDOE” and inserting the phrase “the Department” in its place  
6 wherever it appears;

7 (d) By striking the phrase “the District Department of the Environment” and inserting the  
8 phrase “the Department” in its place wherever it appears;

9 (e) By striking the phrase “the Energy Office” and inserting the phrase “the Department”  
10 in its place wherever it appears;

11 (f) Section 204(g) (D.C. Official Code § 8-1774.04(g)) is amended to read as follows:

12 “(g) The Board shall annually prepare and present a report on the progress of the SEU to  
13 the Council within 90 days after the conclusion of the independent review of the performance  
14 and expenditures of the SEU. The Department shall make this document available to the public  
15 on its website within 10 days of its submission to the Council.”.

16 **SUBTITLE G. STREETCAR AUTHORIZATION AMENDMENT**

17 Sec. 6061. Short title.

18 This subtitle may be cited as the “Streetcar Authorization Amendment Act of 2016”.

19 Sec. 6062. Section 5 of the District Department of Transportation DC Streetcar  
20 Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-  
21 921.71, note), is repealed

22 **TITLE VII. FINANCE AND REVENUE**

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

1           Sec. 7001. Short title.

2           This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2016”.

3           Sec. 7002. Section 4 of the Access to Emergency Epinephrine in Schools Amendment  
4 Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 759), is repealed.

5           Sec. 7003. Section 3 of the Injured Worker Fair Pay Amendment Act of 2015, effective  
6 December 15, 2015 (D.C. Law 21-39; 62 DCR 13744), is repealed.

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

8           Sec. 7011. Short title

9           This subtitle may be cited as the “Prior Budget Act Amendments of 2016”.

10          Sec. 7012. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015  
11 (D.C. Law 21-036; 62 DCR \_\_\_), is amended as follows:

12          (a) Section 2072 is amended by striking the phrase “Office of Cable Television, Film,  
13 Music, and Entertainment” wherever it appears and inserting the phrase “Office of Film,  
14 Television, and Entertainment” in its place.

15          (b) Section 6192 is amended by repealing section (h)(6) (D.C. Official Code § 35-  
16 233(h)(6)).

17          (c) Section 6193 is amended by striking the phrase “2016” and inserting the phrase  
18 “2017” in its place.

19          **SUBTITLE C. COMBINED REPORTING AMENDMENT**

20          Sec. 7021. Short title.

21          This subtitle may be cited as the “Combined Reporting Amendment Act of 2016”.

22          Sec. 7022. Section 47-1810.08(b) of the D.C. Official Code is amended by striking the  
23 phrase “5th year” and inserting the phrase “10th year” in its place.

1           **SUBTITLE D. SUPERMARKET TAX INCENTIVES CLARIFICATION**

2           Section 7031. Short title.

3           This subtitle may be cited as the “Supermarket Tax Incentives Clarification Act of 2016”

4           Section 7032. Chapter 38 of title 47 of the District of Columbia Official Code is  
5 amended to revise the definition of “Eligible Area” as follows:

6           (a) A new section 47-3801(1D) (C) is added to read as follows:

7                   “(C) Square 2960.”

8           **TITLE VIII. CAPITAL BUDGET**

9           **SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION**

10          **APPROVAL**

11          Sec. 8001. Short title.

12          This subtitle may be cited as the "Fiscal Year 2017 Capital Project Reallocation Approval  
13 Act of 2016".

14          Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of  
15 Columbia Official Code, the Council approves the Mayor's request to reallocate \$180,809.546 in  
16 general obligation bond proceeds from District capital projects listed in Table A to the District  
17 capital projects, in the amounts specified, listed in Table B.

18          (b) The current allocations were made pursuant to the Fiscal Year 2010 Income Tax  
19 Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of  
20 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCR 9265); the Fiscal Year 2012  
21 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
22 of 2011, effective December 6, 2011 (D.C. Res. 19-315; 58 DCR 10556), the Fiscal Year 2013  
23 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution

1 of 2012, effective October 16, 2012 (D.C. Res.19-635; 59 DCR 12818), the Fiscal Year 2014  
2 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013,  
3 effective November 5, 2013 (D.C. Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015  
4 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
5 of 2014, effective November 28, 2015 (D.C. Res. 20-687; 61 DCR 12738).

6

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2010A	140,465
Department of General Services	BC1	DGS	Facility Condition Assessment	2012C I.T	113,644
Department of Parks and Recreation	BSM	DGS	Berning Stoddert Modernization	2012C I.T	3,124,785
Department of Parks and Recreation	QH7	DPH	Park Improvements - Project Management	2012C I.T	393,520
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2012C I.T	529,131
Department of Parks and Recreation	QN4	DGS	Ward 2 Public Park Rehabilitation	2012C I.T	334,244
District Department of Transportation	ED1	DDOT	Rhode Island Avenue NE Small Area Plan	2012C I.T	599,509
District Department of Transportation	EDS	DDOT	Great Streets Initiative	2012C I.T	292,359
District Department of Transportation	STC	DDOT	Streetscars	2012C I.T	43,409
District of Columbia Public Schools	MO3	DGS	Moten ES Modernization	2012C I.T	1,565,607
District of Columbia Public Schools	ND4	DGS	Deal JHS Modernization/Renovation	2012C I.T	11,664
District of Columbia Public Schools	NJ8	DGS	McKinley Modernization	2012C I.T	11,442
District of Columbia Public Schools	PE3	DGS	Drew ES Modernization/Renovation	2012C I.T	39,641
Fire and Emergency Management Services	LB7	FEMS	Engine Company 16 Renovation	2012C I.T	2,268,528
Metropolitan Police Department	ECS	MPD	Automation Of Report Generation & Purchase	2012C I.T	300,000
Office of the Chief Technology Officer	N60	OCFO	Transportation Infrastructure Modernization	2012C I.T	481,728
Department of Behavioral Health	XA6	OCFO	St. Elizabeths Info Tech System	2013A G.O	81,575
Department of Behavioral Health	XA8	DBH	Integrated Care Applications Mgmt	2013A G.O	145,551
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2013A G.O	508,089
Department of Healthcare Finance	MPM	DHCF	Medicaid Payment Management System	2013A G.O	1,313,068
Department of Parks and Recreation	QE5	DGS	ADA Compliance	2013A G.O	75,757
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2013A G.O	351,837
Department of Public Works	FS1	DPW	Upgrade To DPW Fueling Sites	2013A G.O	76,846
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2013A G.O	1,546,808
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2013A G.O	2,354,064
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2013A G.O	1,678,669
District Department of Transportation	ED1	DDOT	Georgetown Streetscape Improvements	2013A G.O	500,000
District Department of Transportation	FLD	DDOT	Prevention Of Flooding In Bloomingdale/Ledroit Pk	2013A G.O	39,030
District Department of Transportation	PM0	DDOT	Planning, Management & Compliance	2013A G.O	148,484
District of Columbia Public Schools	PK3	DGS	Martin Luther King ES Modernization	2013A G.O	538,150
Office of the Chief Technology Officer	EQ1	OCFO	DC Cable Net	2013A G.O	83,199
Office of the Chief Technology Officer	N60	OCFO	Transportation Infrastructure Modernization	2013A G.O	99,732
D.C. Public Library	WOD	DCPL	Woodbridge Library	2013A G.O	791,863
Office of the Secretary	ABI	DGS	Archives	2013A G.O	784,215
Department of General Services	BC1	DGS	Facility Condition Assessment	2014 A/B G.O	25,054
D.C. Public Library	WOD	DCPL	Woodbridge Library	2014C G.O	2,500,000
Department of Corrections	CEV	DOC	DOC Elevator Refurbishment	2014C G.O	1,566,292
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2014C G.O	1,500,000
Department of General Services	BC1	DGS	Facility Condition Assessment	2014C G.O	950,000
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2014C G.O	3,927,608
Deputy Mayor for Planning and Economic Development	EB0	DMPED	New Communities	2014C G.O	9,000,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2014C G.O	2,500,000
District Department of Transportation	6EQ	DDOT	Equipment Acquisition - DDOT	2014C G.O	3,526,564
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2014C G.O	8,000,000
District Department of Transportation	FLD	DDOT	Prevention Of Flooding In Bloomingdale/Ledroit Pk	2014C G.O	1,469,644
Office of the Secretary	ABI	DGS	Archives	2014C G.O	2,500,000
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2015A G.O	429,148
D.C. Public Library	CAV	DCPL	Capitol View Library	Pending	4,500,000
D.C. Public Library	CPL	DCPL	Cleveland Park Library	Pending	4,125,000
D.C. Public Library	PAL	DCPL	Palsades Library	Pending	5,700,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	Pending	2,500,000
Deputy Mayor for Planning and Economic Development	STH	DMPED	Strand Theatre	Pending	1,000,000
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	Pending	2,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 22 Firehouse Replacement	Pending	3,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 27 Major Renovation	Pending	2,000,000
Department of Corrections	CEV	DGS	DOC Elevator Refurbishment	Pending	33,708
District of Columbia Public Schools	JOH	DGS	Johnson MS Renovation/Modernization	Pending	2,886,000
District of Columbia Public Schools	NX8	DGS	Coolidge HS Modernization/Renovation	Pending	3,000,000
District of Columbia Public Schools	SG3	DGS	Maintenance Improvements	Pending	7,738,513
State Superintendent of Education	SIS	OSSE	Single State-Wide Student Information System	Pending	1,800,000
Special Education Transportation	BU4	SET	Bus Facility Upgrades	Pending	2,740,000
Special Education Transportation	BU5	SET	DOT GPS System	Pending	1,000,000
Department of Parks and Recreation	FTD	DGS	Fort Davis Recreation Center	Pending	2,000,000
Department of Parks and Recreation	IVY	DGS	Ivy City Community Center	Pending	1,925,000
Department of Parks and Recreation	Q10	DGS	Fort Greble Recreation Center	Pending	1,000,000
Department of Parks and Recreation	Q11	DGS	Hillcrest Recreation Center	Pending	1,500,000
Department of Parks and Recreation	QF4	DGS	Berning Park Recreation Center Rehab	Pending	1,400,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Healthcare Finance	MPM	DHCF	MMIS System Upgrade	Pending	2,500,000
Department of Healthcare Finance	H11	DHCF	District Operated Health Information System	Pending	3,145,040
District Department of Transportation	AW0	DDOT	S Capitol St/Frederick Douglass Bridge	Pending	40,000,000
District Department of Transportation	CDT	DDOT	Railroad Bridges	Pending	10,340
District Department of Transportation	PLU	DDOT	Power Line Undergrounding	Pending	4,000,000
District Department of Transportation	TRF	DDOT	Traffic Operations Center	Pending	1,500,000
Office of the Chief Technology Officer	N90	OCFO	DC Government New Data Center Build-out	Pending	3,000,000
Office of the Chief Technology Officer	N91	OCFO	DC Government Citywide IT Security Program	Pending	1,500,000
Office of the Chief Technology Officer	N92	OCFO	Citywide Disk Based Backup Infrastructure	Pending	445,022
<b>TOTAL</b>					<b>\$180,809,546</b>

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,200,000
District of Columbia Public Schools	GM1	DGS	Major Repairs/Maintenance	N/A	6,100,000
District of Columbia Public Schools	GM3	DGS	High School Labor - Program Management	N/A	5,000,000
District of Columbia Public Schools	NA6	DGS	Ballou SHS	N/A	20,100,000
District of Columbia Public Schools	NR9	DGS	Roosevelt HS Modernization	N/A	15,500,000
State Superintendent of Education	SFF	OSSE	Evans Campus	N/A	2,000,000
Deputy Mayor for Economic Development	AMS	DMPED	McMillan Site Redevelopment	N/A	1,467,000
WMATA	SA5	DDOT	WMATA CIP Contribution	N/A	693,923
Fire and Emergency Management Services	LF2	DGS	FEMS Scheduled Capital Improvements	Pending	2,275,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Parks and Recreation	QE2	DGS	Ridge Road Recreation Center	Pending	9,730,000
Department of Parks and Recreation	QN7	DPR	Park Improvements	Pending	19,000,000
Department of Human Services	CMS	DHS	Case Management System - GO Bond	Pending	14,000,000
District Department of Transportation	CEL	DDOT	Alley Rehab	Pending	3,000,000
WMATA	SA3	DDOT	WMATA Fund - PRIAA	Pending	20,000,000
WMATA	SA5	DDOT	WMATA CIP Contribution	Pending	39,743,623
<b>TOTAL</b>					<b>\$180,809,546</b>

1  
2

**SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILITATION**

3

**AMENDMENT**

4

Sec. 8011. Short title

5

This subtitle may be cited as the “Capital Project Review and Reconciliation Amendment Act of 2016”.

6

7

Sec. 8012. Capture and use of District surplus capital funds.

8

Any surplus capital budget, notwithstanding budget backed by Master Lease financing (fund detail 0302), that the Director of Capital Improvements identifies following the 30-day reconciliation period shall be transferred to the Alley Rehabilitation Project and be made available for use, or reprogramming to authorized capital projects. Any funds backed by Master Lease budget shall be transferred to the WMATA Fund Project (SA311C) and be made available for reprogramming to authorized capital projects.

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**SUBTITLE C. REVERSE PAYGO REPROGRAMMING CLARIFICATION**

15

Sec. 8021. Short title

16

1 This subtitle may be cited as the “Reverse Paygo Reprogramming Clarification Act of  
2 2016”.

3 Sec. 8022. Section 47-361 of the D.C. Official Code is amended by adding a new section  
4 (15) as follows:

5 “(15) “Reverse paygo transfer” means the movement of authorized pay-as-you-go capital  
6 budget funds back to the operating budget.

7 Sec. 8023. Section 47-363(a) of the D.C. Official Code is amended to read as follows:

8 “(a)(1) The Mayor shall submit to the Council for approval a reprogramming request that  
9 individually or on a cumulative basis would result in a change to the original appropriated  
10 authority, along with certification by the Chief Financial Officer of the availability of funds for  
11 the reprogramming. The request shall include an analysis of its effect on the budget and on the  
12 purposes for which the funds were originally appropriated.

13 “(2) The amounts of reverse paygo transfers that reallocate funds from different projects  
14 or subprojects to the operating budget shall not be aggregated for the purpose of determining  
15 whether a transfer constitutes a reprogramming that requires Council approval. If these transfers  
16 are assigned to a single capital project account for transaction recording and tracking purposes,  
17 they shall not constitute a single capital project for the purpose of this subchapter.

18 **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**

19 **AMENDMENTS AND TRANSFERS**

20 **SUBTITLE A. DESIGNATED FUND TRANSFERS**

21 Sec. 9011. Short title.

22 This subtitle may be cited as the “Designated Fund Transfer Act of 2016”.

1           Sec. 9012. Notwithstanding any provision of law limiting the use of funds in the accounts  
2 listed in the following chart, the Chief Financial Officer shall transfer the identified amounts  
3 from certified fund balances in those accounts to the General Fund as described below:  
4           (a) \$36.5 million shall be made available in fiscal year 2017;  
5           (b) \$1.4 million shall be made available in fiscal year 2020;  
6           (c) \$7.2 million shall be allocated to Pay-as-you-go capital in FY 2017 in accordance  
7 with the budget and financial plan:

<b>Designated Fund Balance - Overview</b>			
<b>Code</b>	<b>Fund No</b>	<b>Fund Name</b>	<b>FY 2015</b>
<b>Budget Support Act:</b>			
AE0		Pay for Success Contract Fund	\$2,699,287
		<b>Total</b>	<b>\$2,699,287</b>
<b>Budget Reserves:</b>			
EN0		Micro Loan / Small business Capital Access Fund	\$228,362
EN0		Streetscape Loan Relief Fund	\$1,584,297
GD0		Credit Enhancement, Geneva Funds	\$9,411,800
		<b>Total</b>	<b>\$11,224,459</b>
<b>Dedicated Taxes:</b>			
HT0	0111	Healthy DC Fund	\$6,000,000
LQ0	0110	Dedicated Taxes	\$400,000
		<b>Total</b>	<b>\$6,400,000</b>
<b>Purpose Restrictions and Other Special Purposes:</b>			
AT0	0606	Recorder of Deeds Surcharge	\$3,000,000
BH0		Unemployment Compensation Fund	\$1,000,000
CR0	6030	Green Building Fund	\$1,409,850
CR0	6013	Basic Business License Fund	\$268,332
CR0	6020	Board of Engineers Fund	\$697,203
CR0	6040	Corporate Recordation Fund	\$112,879
CR0	0645	Vending Regulations Fund	\$984,622
CT0	0600	Cable Franchise Fees	\$7,113,314
FE0/FQ0	0620	Crime Victims Assistance Fund	\$2,600,000
HC0	0632	Pharmacy Protection	\$2,100,000
JA0	0603	SSI Payback	\$1,000,000
JM0	0611	Cost of Care-Non-Medicaid Clients	\$772,757
KA0	6901	DDOT Enterprise Fund-Non Tax Revenues	\$3,000,000
SR0	2911	Foreclosure Mediation Fund (Temporary)	\$340,500
TO0	0602	DC Net Service Support	\$4,800,000
		<b>Total</b>	<b>\$29,199,457</b>
<b>TOTAL</b>			<b>\$49,523,203</b>

1           Sec. 9043. The \$4,411,800 of remaining funds in GD0 – Credit Enhancement, Geneva  
2 Funds shall be swept and allocated in FY 2017 to fund 0610, the Charter School Credit  
3 Enhancement Fund within the Office of the State Superintendent of Education.

4           Sec. 9044. Applicability date.

5           This subtitle shall apply as of September 30, 2016.

6           **TITLE X. FISCAL IMPACT AND EFFECTIVE DATE**

7           Sec. 1001. Fiscal impact statement.

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

11          Sec. 1002. Effective date.

12          This act shall take effect following approval by the Mayor (or in the event of veto by the  
13 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
14 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
15 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
16 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

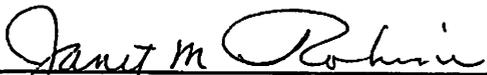
**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** March 24, 2016

**SUBJECT:** Legal Sufficiency Review of Proposed Bill, the "Fiscal Year 2017 Budget Support Act of 2016"  
(AE-16-168 A through KKK)

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**This is to Certify that** this Office has reviewed the Proposed Bill, the "Fiscal Year 2017 Budget Support Act of 2016" and found all Subtitles 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:** March 24, 2016

**SUBJECT:** Fiscal Impact Statement - "Fiscal Year 2017 Budget Support Act of 2016"

**REFERENCE:** Draft bill shared with the Office of Revenue Analysis on March 24, 2016

---

**Conclusion**

Funds are sufficient in the proposed fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the Fiscal Year 2017 Budget Support Act of 2016.

The Mayor's fiscal year 2017 budget proposes \$7.285 billion in Local funds spending, supported by \$7.286 billion of local resources, with an operating margin of \$0.5 million. The estimated expenditures for the proposed General Fund budget, which includes dedicated taxes and special purpose fund revenue in addition to Local funds is of \$8.190 billion.

The proposed budget and financial plan accounts for the expenditure and revenue implications of the bill.

*The bill, the "Fiscal Year 2017 Budget Support Act of 2016," is the legislative vehicle for adopting statutory changes needed to implement the Mayor's proposed budget for the fiscal years 2017 through 2020 budget and financial plan period. The following pages summarize the purpose and the impact of each subtitle.*

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

### **Subtitle (I)(A) – Bonus and Special Pay Limitation Act of 2016**

#### **Background**

The subtitle prohibits District agencies from awarding performance-related bonuses, special awards pay, and service awards in fiscal year 2017. Contractually required bonuses and special payments, including those for some of the employees of the District of Columbia Public Schools or the Office of the Attorney General, are exempted from this requirement.

#### **Financial Plan Impact**

The subtitle extends into fiscal year 2017 current limitations on bonus payments and performance awards.

### **Subtitle (I)(B) – Lobbyist Registration Fee Clarification Amendment Act of 2016**

#### **Background**

The District requires lobbyists to register with the District and pay an annual fee of \$250. Persons who lobby only for nonprofit organizations can pay a reduced fee of \$50. The subtitle defines<sup>1</sup> nonprofit organizations as tax-exempt organizations that fall under the federal definition<sup>2</sup> of a nonprofit organization.

#### **Financial Plan Impact**

The subtitle offers a narrower definition of non-profit organization, which would exclude 42 organizations whose lobbyists had in the past registered paying the lower fee, but will now have to pay the full fee.

### **Subtitle (I)(C) – Employees' Compensation Fund Clarification Amendment Act of 2016**

#### **Background**

District's Employees' Compensation Fund<sup>3</sup> pays injured District government workers for lost wages, medical services, and return-to-work services. The subtitle makes permanent temporary legislation<sup>4</sup> that allowed payment of administrative expenses from the Employees Compensation Fund, retroactive to October 1, 2008.

#### **Financial Plan Impact**

This subtitle codifies existing practice and does not have a fiscal impact.

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<sup>1</sup> By amending section 227(b)(2) 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 § 1-1162.27).

<sup>2</sup> § 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

<sup>3</sup> This Fund is administered by the Public Sector Workers' Compensation Program, authorized by Section 2342 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 § 1-623.42).

<sup>4</sup> Employees' Compensation Fund Clarification Temporary Act of 2015, effective from March 9, 2016 (D.C. Law 21-86; D.C. Official Code §1-623.42).

The Honorable Phil Mendelson  
Fiscal Impact Statement for “Fiscal Year 2017 Budget Support Act of 2016,” based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

**Subtitle (I)(D) – District of Columbia Government Award of Interest and Interest Rate Amendment Act of 2016**

**Background**

The subtitle prohibits, in an administrative proceeding, automatic awards of interest on judgments against the District, unless such interest payments are already required by law.<sup>5</sup> If a judge awards interest, the rate is set at the current prevailing rate of interest,<sup>6</sup> not to exceed four percent per annum.

**Financial Plan Impact**

The District will pay fewer interest awards in administrative judgments against the District, but because each case is unique, it is not possible to know how much money the District will save.

**Subtitle (I)(E) – Tort Notice Budget Technical Amendment Act of 2016**

**Background**

The subtitle limits filing of tort claims to six months of an incident involving a District employee acting in the course of his or her duties. Tort claims against the District government already have this time limit, but claims against individual employees do not.

**Financial Plan Impact**

This subtitle does not have a fiscal impact.

**Subtitle (I)(F) – District of Columbia Captive Insurance Agency Budget Technical Amendment Act of 2016**

**Background**

The subtitle exempts insurance companies from paying insurance premium taxes on insurance products they have sold to the District government. To claim the exemption, the District’s broker must submit a statement identifying the portion of an insurance coverage allocated to the District government.

The subtitle also allows the Chief Risk Officer to purchase any type of insurance deemed appropriate for the District. Currently, the Chief Risk Officer may only purchase property insurance. The subtitle also makes a technical change to ensure that the Office of Risk Management can continue to purchase insurance utilizing the Captive Insurance Fund.

**Financial Plan Impact**

The subtitle will reduce insurance premium tax revenue<sup>7</sup> by \$42,000 every year.

---

<sup>5</sup> D.C. Official Code § 2-509.

<sup>6</sup> D.C. Official Code § 28-3302(b) already limits the annual interest rate on judgments or decrees against the District of Columbia, its officers, and its employees acting within the scope of their employment, at 4 percent..

<sup>7</sup> D.C. Official Code § 47-2608(1A)(A) charges a tax of two percent of all policy and membership fees, net of premium receipts, received by insurance companies for policies in the District.

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### **Subtitle (I)(G) – Public Sector Workers’ Compensation Budget Technical Amendment Act of 2016**

#### **Background**

The subtitle requires the Mayor to establish a process for attorney fee reimbursement to claimants against the District. If a judge awards the claimants an award for retroactive benefits, the attorney fees cannot exceed a certain percentage of this award.

#### **Financial Plan Impact**

The Office of Risk Management is responsible for tracking attorney fee reimbursement and did not request additional funding to implement this subtitle in its fiscal year 2017 request. The subtitle could reduce attorneys’ fees paid out of the settlement and judgments fund, but it is not possible to provide a reliable estimate of these potential savings.

### **Subtitle (I)(H) – District of Columbia Subrogation Fund Establishment Act of 2016**

#### **Background**

The subtitle establishes a non-lapsing special purpose fund called the DC Subrogation Fund within the Office of Risk Management (ORM). Subrogation is the process of recovering money from a third party who has caused damage to the District’s real or personal property. The fund will collect any money ORM recovers. ORM can use the fund to defray subrogation costs and expenses it incurs; the District can also use it to repair and replace the damage done to District property.

#### **Financial Plan Impact**

The District Department of Transportation, the Department of Public Works and the Metropolitan Police Department already pursue subrogation cases and deposit that revenue in their own special purposes funds, or in the general fund. The subtitle will not change this. For this reason, no fiscal year 2017 revenue is certified for the Fund.

### **Subtitle (I)(I) – Public-Private Partnerships Amendment Act of 2016**

#### **Background**

In 2015, the District launched the Office of Public-Private Partnerships<sup>8</sup> to seek public-private partnership opportunities and receive unsolicited proposals from members of the community. The Office solicits and evaluates all potential public-private partnership contracts in the District; it also has the sole authority to award them.

The subtitle exempts the Office’s contracting activities from bonding and security requirements that the District has for other contracts. Its decisions will also not be subject to appeals with the Contract Appeals Board.<sup>9</sup>

The Office receives fees for the reviewing of pre-qualification applications and unsolicited proposals from entities interested in engaging in public-private partnerships with the District.<sup>10</sup>

---

<sup>8</sup> The Public-Private Partnerships Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-271 *et seq.*).

<sup>9</sup> Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-357.01 *et seq.* & 2-360.01 *et seq.*).

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The subtitle expands the allowable uses of these fees to cover any activities within the Office’s jurisdiction.

**Financial Plan Impact**

Expanding the allowable use of fees the Office of Public-Private Partnerships charges does not have a fiscal impact.

**Subtitle (I)(I) – Office of the Inspector General Budget Process Clarification Amendment Act of 2016**

**Background**

Current law requires the Mayor to submit the budget of the Office of Inspector General to Council, without any revisions to what OIG has requested. The Mayor can make recommendations to the OIG budget request, but cannot make any modifications.<sup>11</sup> The subtitle permits the Mayor to make changes to OIG’s budget before submitting to Council, but requires the Mayor to include a statement outlining the budget requested by OIG.

**Financial Plan Impact**

No matter which agency has the ultimate authority to decide the amount of OIG’s budget, the overall District budget must be balanced. The Council can still review OIG budget and submit it with or without comments.

**Subtitle (I)(K) – Use of Official Vehicles During an Emergency Amendment Act of 2016**

**Background**

Current law prohibits District employees from using a government vehicle except when performing official duties. The law does authorize the Mayor, Chairman of the Council, and employees of certain agencies<sup>12</sup> who reside in the District and are on-call 24-hours a day to use government vehicles for travel between their workplaces and places of residence.

The subtitle authorizes, under emergency conditions, the Mayor, City Administrator, Director of the Homeland Security and Emergency Management Administration, or Chief of the Metropolitan Police Department to allow any District employee, and not just those who are residents or are on-call 24 hours a day, the use of government vehicles for commuting, if the transportation is deemed necessary to fulfill official duties. The permission to do so cannot exceed fifteen days, but if the emergency continues, can be extended, by up to seventy-five additional

**Financial Plan Impact**

Allowing the use of government vehicles for commute under emergency conditions could increase costs such as gas and maintenance. The Mayor’s fiscal year 2017 budget request does not include any adjustments for this title.

---

<sup>10</sup> Fees are deposited into the non-lapsing, Public-Private Partnership Administrative Fund (D.C. Law 20-228; D.C. Official Code § 2-272.04).

<sup>11</sup> D.C. Official Code § 1-301.115a(a)(2)(A).

<sup>12</sup> Agencies include the Metropolitan Police Department, Fire and Emergency Medical Services Department, Office of the Chief Medical Examiner, Homeland Security and Emergency Management Agency, and the Department of Corrections.

The Honorable Phil Mendelson

Fiscal Impact Statement for "Fiscal Year 2017 Budget Support Act of 2016," based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

**Subtitle (I)(L) – Office on Latino Affairs Amendment Act of 2016**

**Background**

The subtitle changes the name of the Office on Latino Affairs to the Mayor's Office on Latino Affairs.

**Financial Plan Impact**

The subtitle does not have a fiscal impact.

The Honorable Phil Mendelson

Fiscal Impact Statement for "Fiscal Year 2017 Budget Support Act of 2016," based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

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

### **Subtitle (II)(A) - Qualified High Technology Company Boundary and Media Clarification Act of 2016**

#### **Background**

The subtitle makes companies located in the Ballpark TIF area<sup>13</sup> eligible for the Qualified High Technology Company (QHTC) designation<sup>14</sup> and the associated tax benefits, beginning in fiscal year 2021. Currently, companies in the Ballpark TIF area cannot be designated a QHTC.

The subtitle defines a new company category called a Qualified Digital Media Company, and makes such companies eligible for the Qualified High Technology Company interior renovation tax rebate.<sup>15</sup> The rebates are managed and certified by the Mayor, capped at \$3 million annually, and cannot exceed \$1 million for a single company per fiscal year.

#### **Financial Plan Impact**

The subtitle will cost \$7.25 million beginning in fiscal year 2021 to pay for the QHTC tax credits and exemptions, including exemption from sales and use taxes, personal property taxes and reduced franchise taxes.<sup>16</sup> Its costs are not incorporated into the proposed budget and financial plan as fiscal year 2021 falls out of the financial plan period. The Office of the Chief Financial Officer will incorporate this cost in the District's financial plan beginning with the February 2017 revenue certification letter.

The budget and financial plan already accounts for the tax rebates for interior renovation, in the Economic Development Special Account. The proposal does not alter the cap for the rebate, it only increases the types of businesses that can apply for it.<sup>17</sup>

### **Subtitle (II)(B) - Inaugural Celebration Amendment Act of 2016**

#### **Background**

The subtitle designates 2017 Presidential Inaugural week as January 14 to January 22, 2017. During the inaugural period, licensed establishments can remain open for 24 hours and serve alcoholic beverages until 4 a.m.

#### **Financial Plan Impact**

The subtitle will increase sales tax revenue by \$84,452 in fiscal year 2017 only.

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<sup>13</sup> D.C. Official Code § 2-1217.12.

<sup>14</sup> D.C. Official Code § 47-1817.01.

<sup>15</sup> D.C. Official Code § 47-4665.

<sup>16</sup> QHTCs are also eligible for tax credits on the costs associated with paying and retraining qualified disadvantaged workers.

<sup>17</sup> The fund's revenue comes from the following sources: (1) all operating funds transferred from the Anacostia Waterfront Corporation and National Capital Revitalization Corporation, (2) all fees, revenues, and other income arising from real property or other assets formerly under the authority of the Anacostia Water-front Corporation and National Capital Revitalization Corporation, or any of their subsidiaries, (3) funds authorized by an act of Congress, reprogramming, or 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.

The Honorable Phil Mendelson

Fiscal Impact Statement for “Fiscal Year 2017 Budget Support Act of 2016,” based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

### **Subtitle (II)(C) - Reimbursable Detail Subsidy Program Amendment Act of 2016**

#### **Background**

The subtitle permits pub crawl<sup>18</sup> organizers to participate in the reimbursable detail subsidy program.<sup>19</sup> The program reimburses the Metropolitan Police Department half of the total cost incurred by alcoholic beverage licensees for police officers working details during approved hours. The licensees themselves cover the remaining half of the costs.

#### **Financial Plan Impact**

The program receives approximately \$1.17 million annually as dedicated transfers from sales tax receipts, and there is no obligation to spend more than what is allocated to the program.

### **Subtitle (II)(D) - Walter Reed Development Omnibus Act of 2016**

#### **Background**

The subtitle exempts grants from the Walter Reed Redevelopment Fund from competitive offer requirements.<sup>20</sup> The Redevelopment Fund will hold the possessory interest payments the Developer will pay on the lease once it takes over the property. DMPED intends to grant the funding solely to the site developer to support construction, maintenance, and operations at Walter Reed.

#### **Financial Plan Impact**

The possessory interest from the site is expected to be \$6 million for year. The subtitle will not change this amount; it will ensure that as intended by the Land Development Agreement, the developer will receive these funds.

### **Subtitle (II)(E) - Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Amendment Act of 2016**

#### **Background**

The subtitle expands the Deputy Mayor for Planning and Economic Development’s (DMPED) authority to issue grants to include the preservation of affordable housing, New Communities Initiative<sup>21</sup> projects, and real estate projects developed on disposed District properties. These grants will be exempt from the competitive bidding requirement for grants over \$50,000; DMPED can also issue them without any public notice. These exemptions will also apply to grants DMPED makes from the Economic Development Special Account.<sup>22</sup>

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<sup>18</sup> 23 DCMR § 712.

<sup>19</sup> D.C. Official Code § 25-798.

<sup>20</sup> The Walter Reed disposition was approved by Council on an emergency basis on February 29, 2016 and is awaiting Mayoral approval. (Bill 21-627, Walter Reed Development Omnibus Emergency Act of 2016, Response due March 23, 2016.) The permanent legislation is also pending approval of the Mayor (Bill 21-474, Walter Reed Development Omnibus Act of 2016, Response due March 25, 2016.)

<sup>21</sup> As defined in D.C. Official Code § 42-2802(b)(11).

<sup>22</sup> National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.21).

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The subtitle authorizes DMPED to issue loans for the preservation of affordable housing, where that authority is now limited to the creation of affordable housing.

### **Financial Plan Impact**

Exemptions from grant processes do not have a fiscal impact. DMPED can only issue grants or make loans up to its budgeted resources.

## **Subtitle (II)(F) – Office of Cable Television, Film, Music and Entertainment Amendment Clarification Act of 2016**

### **Background**

The subtitle changes the powers and responsibilities of the Office of Cable Television, Film, Music and Entertainment. It eliminates the Film DC Special Account Fund,<sup>23</sup> and shifts the revenue it received from film permits<sup>24</sup> to the agency’s Special Fund.

### **Financial Plan Impact**

The subtitle directs film fee revenue, an estimated \$95,000 in FY 2017, to a different special purpose fund within the same agency, but the total resources will not change.

## **Subtitle (II)(G) – Procurement Practices Reform Act Conforming Amendments Act of 2016**

### **Background**

Under current law, when the District disposes a property no longer required for public use, and the disposition includes a land development agreement, the procurement of services for the design, development and construction of a facility on the disposed property is not subject to the District’s procurement laws.<sup>25</sup> The subtitle extends this exemption<sup>26</sup> to the planned facilities on properties disposed of under any District law (and District-owned adjacent properties).

The subtitle also makes a number of conforming amendments to update the obsolete references to the repealed District of Columbia Procurement Practices Act of 1985<sup>27</sup> with references to the Procurement Practices Reform Act of 2010.<sup>28</sup>

### **Financial Plan Impact**

This subtitle has no fiscal impact.

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<sup>23</sup> D.C. Official Code § 2-1204.11e.

<sup>24</sup> D.C. Official Code § 2-1204.11d. Film fees are paid for occupation of a public space for film and television productions.

<sup>25</sup> Those disposed under An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801).

<sup>26</sup> Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(13)).

<sup>27</sup> Effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code 2-301.01 *et seq.*).

<sup>28</sup> Effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code 2-351.01 *et seq.*).

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## **Subtitle (II)(H) – Home Purchase Assistance Program Loan Amendment Act of 2016**

### **Background**

The Department of Housing and Community development runs the District's Home Purchase Assistance (HPAP) program, which provides interest-free loans of up to \$50,000 and closing cost assistance of up to \$4,000 to qualified first-time homebuyers. The payment on the loan is deferred for the first five years and amortized over 40 years.<sup>29</sup>

The subtitle increases the maximum loan amount to \$80,000.<sup>30</sup>

### **Financial Impact**

For FY 2017, DHCD has budgeted \$4.9 million in local funds and \$11.4 million in federal funds to support these loans. Since the FY 2017 budget for the loans is more than twice what DHCD spent on the loans in FY 2014 and FY 2015, and the number of HPAP loans has been declining, we believe the budget can accommodate the increase in the maximum loan amount.

Additionally, these loans are not entitlements. Should the demand for them exceed the available budget, the Department of Housing and Community must ration them according to priority policies it already has in place.<sup>31</sup>

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<sup>29</sup> The maximum first trust loan amount cannot exceed \$417,000, the conventional conforming loan limit.

<sup>30</sup> Amount of Financial Assistance, 14 DCMR § 2503.1(b).

<sup>31</sup> According to DHCD, applications are prioritized to provide loans for very low or low income, elderly, handicapped, disabled or displaced District residents, then to other eligible District residents, then to non-residents who have been employed in the District for one year prior to application, and finally to non-residents who have lived in the District for three consecutive years as an adult.

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

### **Subtitle (III)(A) – Placement of Orders with Governmental Entities Amendment Act of 2016**

#### **Background**

The subtitle allows the District<sup>32</sup> to contract with the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, or any other local or regional authority or intergovernmental organization for materials, supplies, equipment, work, or services.

#### **Financial Plan Impact**

This subtitle does not have a fiscal impact; it allows the District to write memoranda of understanding with agencies outside of the District government.

### **Subtitle (III)(B) – Reciprocal Agreements for Mutual Aid Amendment Act of 2016**

#### **Background**

The subtitle expands<sup>33</sup> the Mayor’s authority to make Fire and Emergency Medical Services Department (FEMS) personnel and equipment available to provide services on Washington Metropolitan Area Transit Authority (WMATA) and Council of Governments’ property. This will allow FEMS to provide a fire officer to serve as a Fire Liaison with Rail Operations Control Center rail supervisors. Current law limits the service area for FEMS to the District, but the Rail Operations Control Center is in Landover, Maryland, and WMATA provides service in both Virginia and Maryland.

#### **Financial Plan Impact**

The proposed budget for FEMS includes the funds for one fire officer who will work full time as the Fire Liaison.

### **Subtitle (III)(C) – Maternal Mortality Review Committee Establishment Act of 2016**

#### **Background**

The subtitle establishes a Maternal Mortality Review Committee to review factors that contribute to maternal death. The Chief Medical Examiner will provide facilities and other administrative support for the Committee. The subtitle specifies the Committee’s composition, and the terms and duties of its members; it also obligates health care providers to provide information on maternal death, and grants the Committee subpoena powers.

The Committee is exempted from open meeting requirements; nor would it be required to meet Freedom of Information Act requests.

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<sup>32</sup> By amending section 1 of An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01).

<sup>33</sup> The subtitle amends Section 1 of An Act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414).

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### **Financial Plan Impact**

The Office of the Chief Medical Examiner will provide facilities and the administrative support for Committee meetings. Members will not receive any compensation. There are no other costs.

### **Subtitle (III)(D) – Executive Service Pay Schedule Amendment Act of 2016**

#### **Background**

The subtitle includes in the executive pay schedule for public safety officials District’s health and education executives.<sup>34</sup> Executives on this pay schedule will no longer need to have a medical or advanced health-related degree. The extended pay schedule will apply to the Departments of Behavioral Health, General Services, and Health, and the District of Columbia Public Schools.<sup>35</sup>

The pay schedule ranges from a minimum of \$169,744 (level 1 minimum) to a maximum of \$353,423 (level 4 maximum) across four pay levels.

The bill also eliminates a statutorily established salary of \$203,125 for the Director of the Department of Forensic Sciences. The proposed changes are effective retroactive to January 1, 2015.

#### **Financial Plan Impact**

The current salaries of the five directors of District agencies who will be moved to this pay schedule already fall within the prescribed ranges. The Chancellor of the District of Columbia Public Schools will also now be included in this salary schedule, but the current chancellor’s salary is set by statute.<sup>36</sup>

### **Subtitle (III)(E) – Corrections Information Council Board Amendment Act of 2016**

#### **Background**

This subtitle increases<sup>37</sup> the number of Corrections Information Council members from three to five. The Mayor will nominate one of the two new members, and the Council will nominate the other.

#### **Financial Plan Impact**

Expanding the membership of the Corrections Information Council does not have any costs. Members of the Council do not receive compensation for their service.

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<sup>34</sup> The pay schedule will be the DX Public Safety, Health, and Education Schedule.

<sup>35</sup> Current agencies include the Departments of Corrections, Forensic Science, and Youth Rehabilitation Services; Fire and Emergency Medical Services; Homeland Security and Emergency Management Agency; Metropolitan Police Department; and Offices of the Chief Medical Examiner and Unified Communications as long as those directors have medical or advanced health-related degrees.

<sup>36</sup> An amendment to D.C. Official Code § 1-610.52(b)(2) to increase the chancellor’s salary was approved by the D.C. Council on February 2, 2016 (Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Resolution of 2016, R 21-403).

<sup>37</sup> By amending § 24-101.01 of the D.C. Official Code.

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### **Subtitle (III)(F) – DFS Laboratory Fund Establishment Act of 2016**

#### **Background**

This subtitle creates within the Department of Forensic Sciences a non-lapsing special purpose fund called the Laboratory Fund to hold federal grant payments.

#### **Financial Plan Impact**

The new fund will allow the Department of Forensic Sciences to keep unspent federal grant funds balances for use in future fiscal years.

### **Subtitle (III)(G) – Anatomical Board Repeal Amendment Act of 2016**

#### **Background**

This subtitle eliminates<sup>38</sup> the now-obsolete Anatomical Board. The Office of the Chief Medical Examiner (OCME) performs these duties.

#### **Financial Plan Impact**

This is a technical change with no fiscal impact.

### **Subtitle (III)(H) – Fire Officials’ Service Longevity Amendment Act of 2016**

#### **Background**

This subtitle provides longevity pay<sup>39</sup> to higher-ranking uniformed employees of the Fire and Emergency Medical Services (FEMS) who are not covered by collective bargaining. Assistant Fire Chiefs, Deputy Fire Chiefs, and Battalion Fire Chiefs will receive longevity pay equal to 5 percent of their scheduled salaries at the end of 15 years of service, 10 percent at 20 years of service, 15 percent at 25 years of service, and 20 percent at 30 years of service.

#### **Financial Plan Impact**

The proposed budget and financial plan includes adjustments to pay schedules of these FEMS employees.

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<sup>38</sup> By repealing An Act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C. Official Code § 3-201 *et seq.*).

<sup>39</sup> By amending section 401(a)(3) of the District of Columbia Police and Firemen’s Salary Act of 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5-544.01(a)(3)).

## TITLE IV – PUBLIC EDUCATION SYSTEM

### **Subtitle (IV)(A) –Funding for Public Schools and Public Charter Schools Amendment Act of 2016**

#### **Background**

The proposed subtitle sets the base level funding for the Uniform per Student Funding Formula (UPSFF) at \$9,682. This is a two percent increase over the fiscal year 2016 base amount.

Base level funding is multiplied by the weighting for each grade level or add-on services to determine the per-pupil funding at that level or for these services. The subtitle proposes no changes to the Uniform per Student Funding Formula weightings. The following tables show the foundation level funding at each grade level and the various add-ons:

<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 2017</b>
Pre-Kindergarten 3	1.34	\$12,974
Pre-Kindergarten 4	1.30	\$12,587
Kindergarten	1.30	\$12,587
Grades 1-5	1.00	\$9,682
Grades 6-8	1.08	\$10,457
Grades 9-12	1.22	\$11,812
Alternative program	1.44	\$13,942
Special education school	1.17	\$11,328
Adult	0.89	\$8,617

<b>Special Education Add-ons</b>			
<b>Level/ Program</b>	<b>Definition</b>	<b>Weighting</b>	<b>Per Pupil Supplemental Funds</b>
Level 1: Special Education	Eight hours or less per week of specialized services.	0.97	\$9,392
Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services.	1.20	\$11,618
Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services.	1.97	\$19,074
Level 4: Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement.	3.49	\$33,790
Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per student basis Blackman Jones compliance.	0.069	\$668
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	\$862
Residential	DCPS or public charter school that provides students with room and board in a residential setting, in addition to their instructional program.	1.67	\$16,169

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General Education Add-ons			
Level / Program	Definition	Weighting	Per Pupil Supplemental Funds
ELL	Additional funding for English Language Learners	0.49	\$4,744
At-Risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,120

Residential Add-ons			
Level/ Program	Definition	Weighting	Per Pupil Supplemental Funds
Level 1: Special Education - Residential	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	\$3,563
Level 2: Special Education - Residential	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	\$12,945
Level 3: Special Education - Residential	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	\$27,991
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 DCPS or public charter school that provides students with room and board in a residential setting.	2.874	\$27,826
LEP/NEP - Residential	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	\$6,468

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 Funds
Special Education Level 1 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.063	\$610
Special Education Level 2 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.227	\$2,198
Special Education Level 3 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs.	0.491	\$4,754
Special Education Level 4 ESY	Additional funding to support the summer school/program needs for students who require extended school year services in their IEPs	0.489	\$4,734

### Financial Plan Impact

The proposed 2 percent increase, combined with the effects of growth in the projected enrollments, will increase the formula-driven local fund expenditures. The proposed budget and financial plan include approximately \$1.4 billion for instructional budgets; \$756,389,181 for the District of Columbia Public Schools and \$593,423,943 for the public charter schools.<sup>40</sup>

<sup>40</sup> Charter schools will also receive \$130,293,309 for facilities allowances, bringing the collective local budget to \$723,717,252.

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### **Subtitle (IV)(B) - DCPS Contracting and Spending Flexibility Amendment Act of 2016**

#### **Background**

The bill exempts<sup>41</sup> DCPS from competitive procurement requirements for professional development related purchases so long as the purchase is for goods or services valued under \$25,000.

The bill also allows public schools to shift the non-personal budget across different object classes for up to \$10,000 per fiscal year without a reprogramming request.<sup>42</sup> District agencies allocate their non-personal expenditures across specific items as supplies and materials, contractual services, utilities, rent, and other fixed costs. School budgets follow this practice, too. Under current practices, any time a school chooses to spend their non-personal funds differently from what is approved in the budget, DCPS must request a budget reprogramming from the Office of the Chief Financial Officer (OCFO). Under the subtitle, schools can shift these funds without submitting a reprogramming request, but they must follow OCFO rules.

#### **Financial Plan Impact**

The subtitle has no cost. In fiscal year 2015, the OCFO processed over 5,000 requests of under \$10,000 from schools to reprogram non-personnel budget from one item to another. The subtitle will ease the administration of these small changes.

### **Subtitle (IV)(C) – Classroom Animal for Educational Purposes Amendment Act of 2016**

#### **Background**

This subtitle allows<sup>43</sup> schools to have animals in the classroom for educational and instructional purposes.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District’s budget and financial plan.

### **Subtitle (IV)(D) – Healthy Tots Amendment Act of 2016**

#### **Background**

The Healthy Tots Act of 2014 defines the term “eligible child” in two ways: as someone who is eligible for subsidized child care, and as someone eligible for free and reduced meals. The subtitle eliminates this inconsistency<sup>44</sup> by including only one definition in the Act: eligibility for subsidized child care.

This subtitle also extends the deadline by which childcare providers must comply with the law by one year. The new deadline is September 30, 2017.

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<sup>41</sup> By amending the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.13(17)).

<sup>42</sup> The bill amends D.C. Official Code § 47-361 to redefine reprogramming within each school’s non-personnel budget as a reallocation for up to \$10,000 in a fiscal year.

<sup>43</sup> By amending Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)).

<sup>44</sup> By amending The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-281 *et seq.*).

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### **Financial Plan Impact**

Updating the code to correct a conflict within the law does not have a financial impact. Extending the deadline will delay the subsidies the District would have paid these providers by one year.

### **Subtitle (IV)(E) – National External Diploma Program Amendment Act of 2016**

#### **Background**

This subtitle authorizes<sup>45</sup> the Office of the State Superintendent of Education to retroactively recognize the National External Diploma Program diplomas awarded between January 1, 1980 and February 5, 2016.

#### **Financial Plan Impact**

This subtitle does not have an impact on the District’s budget and financial plan.

### **Subtitle (IV)(F) – Foster Care Extended Eligibility Amendment Act of 2016**

#### **Background**

This subtitle expands<sup>46</sup> the childcare subsidy program to cover:

- children with a parent under 21 years of age who is either in foster care or a ward of the District, and is either working or enrolled in a verified job training or education program;
- children in foster care placement with a foster parent who is not working but receives some form of verifiable income such as social security or disability; and
- children in foster care placement with a foster parent who is not working but enrolled in a verified job training or education program.

In the last two cases, the foster parent must demonstrate that the childcare is in the best interest of the children.

These practices are in current law that will expire on October 8, 2016.<sup>47</sup>

#### **Financial Plan Impact**

The Office of State Superintendent of Education expects that approximately 20 more children could qualify for child care subsidies under the expanded definition.

### **Subtitle (IV)(G) – Public Charter School Advance Payment Adjustment Amendment Act of 2016**

#### **Background**

The District transfers public charter schools their formula funds in four quarterly payments beginning July 15, when schools receive 35 percent of their annual instructional budgets. This

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<sup>45</sup> By amending Section 7b of the State Education Office Establishment Act of 2000 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2608).

<sup>46</sup> By amending Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)).

<sup>47</sup> The Foster Care Extended Eligibility Emergency and Temporary Amendment Acts of 2016, effective from Feb 26, 2016, (D.C. Law 21-70, 63 DCR 2328).

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subtitle adjusts<sup>48</sup> the public quarterly payment amounts for schools in their first year of operation to 45 percent of their total payment.

The payment schedule and amounts will be:

Payment schedules and amounts, as a share of total payment, under Title III (H)		
Payment date	Existing Schools	New Schools
July 15	35 percent	45 percent
October 25	25 percent	25 percent
January 15	20 percent	15 percent
April 15	20 percent	15 percent
TOTAL	100 percent	100 percent

### **Financial Plan Impact**

Increasing the first payment for newly opened schools could change the cash flow of the District, but because the law applies to new schools only for the first year of their operation, this impact will be small.

## **Subtitle (IV)(H) – My School DC EdFest Sponsorship and Advertising Amendment Act of 2016**

### **Background**

The District uses the Common Lottery Board Fund to pay for the cost of the annual My School DC EdFest school fair. Current law allows the Fund to receive appropriations, grants, gifts, and donations.<sup>49</sup> This subtitle will include in this list<sup>50</sup> sponsorship and advertisement revenue from EdFest.

### **Financial Plan Impact**

Directing sponsorship and advertisement revenue will allow the District to use these funds to pay for EdFest.

## **Subtitle (IV)(I) – School Immunization Requirements Enforcement Period Amendment Act of 2016**

### **Background**

This subtitle increases<sup>51</sup> the number of allowable days a student can attend school while waiting for immunizations to 20 days from the current limit of 10 days.

### **Financial Plan Impact**

This subtitle does not have an impact on the District’s budget and financial plan.

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<sup>48</sup> By amending Section 107b 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 § 38-2906.02).

<sup>49</sup> D.C. Official Code § 38-195.

<sup>50</sup> By amending Section 4122 of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905).

<sup>51</sup> By amending § 38-505. Attendance without certification of Chapter 5. Immunization of School Students of Subtitle I. Public Education – primary and secondary of Title 38. Educational Institutions (D.C. Law 21-43; DC Official Code § 38-505).

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**Subtitle (IV)(I) – Public Charter At-Risk and Limited English Proficient Payment Amendment Act of 2016**

**Background**

This subtitle includes in the quarterly payments distributed to public charter schools the at-risk add-on.<sup>52</sup> Current law includes all formula driven add-ons in the quarterly payment but does not specifically refer to at-risk add-ons.

Public charter schools will receive the full annual equivalent of at-risk and limited English proficiency add-ons even if a student is found to fall under these add-on categories after the October 5 school enrollment audit. Current law limits the adjustment for limited English proficient students to the date when the student began receiving services, and not to the beginning of the year.<sup>53</sup> The adjustments for at-risk funds are not mentioned in law.

A school's two remaining quarterly payments would be adjusted to reflect any funding discrepancy due to newly identified at-risk and limited English proficiency students.

**Financial Plan Impact**

Including full, and not the pro-rated, annual payment for an add-on that is identified after the audit could increase transfers to public charter schools. Most at-risk and limited English proficiency school students are identified by the October 5 deadline so increases are expected to be minimal.

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<sup>52</sup> By amending Section 107b of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1998 (D.C. Law 12-207; D.C. Official Code § 38-2906.02).

<sup>53</sup> D.C. Official Code § 38-2906.02 say that add-ons for special education and limited English proficient students shall be added on a pro-rata basis from the date on which a public charter school begins to provide add-on services for such students.

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

### **Subtitle (V)(A) – Temporary Assistance for Needy Families Time Limit Exemption and POWER Expansion Amendment Act of 2016**

#### **Background**

The subtitle extends<sup>54</sup> through the end of fiscal year 2017 partial benefits for families enrolled in the District's Temporary Assistance for Needy Families (TANF) program for more than 60 months. Under current law, these partial benefits are scheduled to end at the end of fiscal year 2016. Families receiving partial benefits will not get the 15.3 percent cost-of-living increase that families receiving full benefits will get on October 1, 2016.

#### **Financial Impact**

The partial TANF benefits through FY 2017 will cost the Department of Human Services (DHS) \$11.16 million. DHS is paying for this with \$4 million of local money from the TANF employment program; a \$6.06 million enhancement; and \$1.1 million of local money that was originally budgeted for cost-of-living increases but will no longer be needed.<sup>55</sup>

We estimate that around 6,200 families will qualify for partial benefits in FY 2017 and the average benefit will be about \$150 per month.

### **Subtitle (V)(B) – Department of Health Care Finance Medical Assistance Program Amendment Act of 2016**

#### **Background**

Under current law the Department of Health Care Finance (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 the federal Centers for Medicaid and Medicare Services (CMS). This subtitle would waive<sup>56</sup> Council review for initiatives that change the:

- ICF/IDD reimbursement methodology;
- payment methodology for hospital services;
- payment methodology for nursing homes;
- payment methodology for disproportionate share hospital program;
- health homes program;
- Elderly and Persons with Disabilities waiver program and conforming changes to the state plan; or
- payment methodology for prescribed drugs.

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<sup>54</sup> By amending the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*)

<sup>55</sup> DHS will be able to use federal money to cover a portion of the cost-of-living increase in FY17, which DHS had not anticipated being able to do. This frees up some local funds for FY17.

<sup>56</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).

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### **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.

District anti-deficiency laws<sup>57</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.

### **Subtitle (V)(C) – Contribution to Cost of Supports Fund Act of 2016**

#### **Background**

The Department on Disability Services (DDS) pays rent for approximately 960 persons with development disabilities who live in the community and receive services through the Medicaid Home and Community-Based Services Waiver. People in this program who receive Social Security benefits must contribute a portion of their Social Security benefits towards rent. This subtitle requires<sup>58</sup> people who have other sources of income besides Social Security to also contribute a portion of their other income towards rent. The money will go into the Contribution to Costs of Support Fund, which DDS will use to pay the landlords.

#### **Financial Plan Impact**

DDS expects to collect about \$200,000 a year in the Contribution to Costs of Support Fund, though the fund balance could increase if more people receiving rental assistance from DDS become employed. DDS’s FY 2017 budget has enough money to pay rent for people enrolled in this Medicaid program even if DDS is not able to collect the \$200,000 as expected.

### **Subtitle (V)(D) – Department on Disability Services Medical Assistance Program Amendment Act of 2016**

#### **Background**

Under current law the Department on Disability Services (DDS) 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 the federal Centers for Medicaid and Medicare Services (CMS). This subtitle allows<sup>59</sup> DDS to submit state plan amendments, modifications, or waivers needed to change the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities directly to CMS, and without Council review.

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<sup>57</sup> 31 U.S.C. § 1341 (2007) and D.C. Official Code § 47-355.01 *et seq.* (2001).

<sup>58</sup> By amending the Developmental Disabilities Service Management Reform Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*).

<sup>59</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)).

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### **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.

District anti-deficiency laws<sup>60</sup> prohibit District officers and employees from exceeding agency appropriations in any fiscal year, so DDS 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.

### **Subtitle (V)(E) – Persons with Intellectual and Developmental Disabilities Rent Increase Relief Act of 2016**

#### **Background**

The subtitle limits<sup>61</sup> annual rent increases to 5 percent for housing units occupied by people with developmental disabilities who receive services from the District through the Medicaid Home and Community-Based Services Waiver. Currently, about 960 people a year fall into this category.

#### **Financial Plan Impact**

The Department on Disability Services (DDS) administers this waiver program, and this subtitle will save DDS money if landlords had planned to increase rents for these housing units by more than 5 percent. But, because we cannot reliably predict landlords’ actions, we do not have an exact estimate of savings.

The FY 2017 budget includes enough money to pay rent for these 960 people even if the rent increases are not capped. DDS’s entire residential budget in FY 2017 is about \$26 million. This is a decrease from the FY 2016 budget of \$27 million, but DDS decreased the budget because of programmatic changes, not anticipated savings from legislation in the Budget Support Act.

Any money that DDS budgeted for rent that it does not spend in FY 2017 will be rolled over to the next fiscal year.

### **Subtitle (V)(F) – Commission on Health Equity Amendment Act of 2016**

#### **Background**

The subtitle establishes<sup>62</sup> a Commission on Health Equity, which will recommend ways to address health inequities in the District. The Commission will consist of nine voting members, six of whom will be appointed by the Mayor and three of whom will be appointed by D.C. Council. The Commission will work closely with the Department of Health’s Office of Health Equity.

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<sup>60</sup> 31 U.S.C. § 1341 (2007) and D.C. Official Code § 47-355.01 *et seq.* (2001).

<sup>61</sup> By amending the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; DC Official Code § 42-3501.01 *et seq.*).

<sup>62</sup> By amending Sections 2 through 4 of the Commission on Health Disparities Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-192; D.C. Official Code § 7-755.01 - § 7-755.04).

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### **Financial Plan Impact**

Establishing the Commission will not impact the District's budget or financial plan. The members of the Commission will be volunteers and the Department of Health can handle any work associated with the Commission using its current resources.

### **Subtitle (V)(G) – Teen Pregnancy Prevention Fund Amendment Act of 2016**

#### **Background**

The subtitle transfers<sup>63</sup> the responsibility of administering the Teen Pregnancy Prevention Fund from the D.C. Campaign to Prevent Teen Pregnancy to the Department of Health (DOH). The administrator of the Fund grants money to non-profits that work to prevent teen pregnancy.

#### **Financial Plan Impact**

Transferring the administration of the Teen Pregnancy Prevention Fund to DOH will not impact the budget or financial plan. DOH can administer the fund using its current staff and resources.

Unlike the DC Campaign to Prevent Teen Pregnancy, DOH does not need to use any of the money in the fund to cover administrative costs. All of the money in the fund will go towards grants. The Campaign used 10 percent of the money in the fund for administration costs.

The fund will begin fiscal year 2017 empty. The Mayor has not included money for the fund in her proposed fiscal year 2017 budget, and no money will be rolled over from fiscal year 2016.

### **Subtitle (V)(H) – Medicaid Hospital Outpatient Supplemental Payment Act of 2016**

#### **Background**

The subtitle extends for another year the District's tax on hospitals' outpatient gross patient revenue. The tax will now end on September 30, 2017. It was set to expire on September 30, 2016.

The money from the tax will go into the Hospital Provider Fee Fund, which the Department of Health Care Finance will use to give supplemental Medicaid payments to hospitals for outpatient services. The tax will sunset on September 30, 2017, but any remaining funds will remain in the Hospital Provider Fee Fund for future use, and not revert to the local fund.

Psychiatric hospitals run by the District are exempt from the tax.

The tax will be set at a rate that allows the District to pay hospitals the maximum allowable amount for outpatient services for Medicaid recipients. The tax will also be set so that it provides \$150,000 to the Department of Healthcare Finance to cover the costs of managing the Fund.

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<sup>63</sup> By amending Sections 5142 through 5147 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.321 *et seq.*).

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### **Financial Plan Impact**

The District plans to set the tax at a rate of 0.174 percent to generate about \$6.7 million in revenue in FY 2017. The \$6.7 million will cover the local costs to the District of making the maximum allowable Medicaid payments to hospitals and pay \$150,000 for administrative costs. The federal government’s share of the cost associated with increased payments to providers will be about \$15.3 million.<sup>64</sup> The providers will receive the supplemental payments quarterly by the 15th day after the end of the quarter.

<b>Fiscal Impact of Subtitle (V)(H) – Medicaid Hospital Outpatient Supplemental Payment Act of 2016</b>			
<b>Estimated FY 2017 dedicated tax revenues</b>			
	Dedicated Tax (local funds)	Federal Medicaid Match	Total Resources
Sources of funds for making maximum allowable payments to providers	\$6,709,025	\$15,304,392	\$22,013,417

Source: Department of Healthcare Finance, cost estimation model

### **Subtitle (V)(I) – Medicaid Hospital Inpatient Rate Supplement Act of 2016**

#### **Background**

The subtitle extends for another year the District’s tax on hospitals’ inpatient gross patient revenue. The tax will now end on September 30, 2017. It was set to expire on September 30, 2016.

The money from the tax will go into the Hospital Fund, which the Department of Healthcare Finance will use to fund Medicaid inpatient hospital services (both fee-for-service and managed care operations). The tax will sunset on September 30, 2017, but any remaining funds will remain in the Hospital Fund for future use, and not revert to the local fund. The tax will be set at a rate that allows the District to reimburse hospitals for 98 percent of their inpatient costs for District Medicaid recipients. Without the tax the District would be able to reimburse hospitals for only 86 percent of their inpatient costs.

Specialty hospitals will be excluded from the tax. In order to exclude these hospitals, the Department of Healthcare Finance will need to get a waiver from the Center for Medicare and Medicaid Services (CMS). The Department of Healthcare Finance believes the waiver will be approved, but if it is not the District will need to extend the tax to all hospitals.

#### **Financial Plan Impact**

The District plans to set the tax at a rate of 0.52 percent. This will generate \$10.4 million in revenue in FY 2017. The \$10.4 million will cover the local costs to the District of paying 98 percent, as opposed to 86 percent, of hospitals’ Medicaid inpatient costs. The federal government will also give the District about \$24.3 million to cover its portion of the costs associated with a payment rate of 98 percent.<sup>65</sup> The District will transfer the federal money to hospitals as part of its normal Medicaid payments.

If CMS does not approve the District’s waiver, and the District must tax all hospitals, it will adjust the tax to a lower rate so that it still generates \$10.4 million in revenue.

<sup>64</sup> The federal government pays 70 percent of the District’s Medicaid costs.

<sup>65</sup> The federal government pays 70 percent of all the District’s Medicaid costs.

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<b>Fiscal Impact of Subtitle (V)(I) – Medicaid Hospital Inpatient Rate Supplement Payment Act of 2016</b>			
<b>Estimated FY 2017 dedicated tax revenues</b>			
	Dedicated Tax (local funds)	Federal Medicaid Match	Total Resources
Sources of funds for reimbursing hospitals for 98 percent of their costs (baseline is 86 percent)	\$10,400,000	\$24,266,667	\$34,666,667

Source: Department of Healthcare Finance, cost estimation model

### **Subtitle (V)(I) – Program on Work, Employment, and Responsibility Amendment Act of 2016**

#### **Background**

The subtitle removes<sup>66</sup> eligibility for the Program on Work Employment and Responsibility (POWER) for single parents with a baby under 6 months.

#### **Financial Plan Impact**

Removing POWER eligibility for single parents with a baby under 6 months will save DHS \$2.6 million. DHS is using this money to close a gap in the FY 2017 budget.

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<sup>66</sup> By amending the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*)

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

### **Subtitle (VI)(A) - Wildlife Protection Rulemaking Amendment Act of 2016**

#### **Background**

The Wildlife Protection Act<sup>67</sup> provides the standards for nuisance wildlife abatement in the District and the Department of Energy and Environment (DOEE) licenses and regulates wildlife control operators<sup>68</sup> who provide abatement services. At present DOEE cannot fine operators who are not compliant with the Act. The subtitle grants DOEE this authority. It also allows DOEE to charge fees to cover the costs of its services, such as inspections or documents reviews.

#### **Financial Plan Impact**

No approved or proposed service fee or fine structure exists to allow for a reliable estimate of potential revenues at this time.

### **Subtitle (VI)(B) - Brownfields Revitalization Amendment Act of 2016**

#### **Background**

The Department of Energy and Environment (DOEE) manages the Voluntary Cleanup Program (VCP), which supports the cleanup of brownfield<sup>69</sup> sites in the District. VCP staff review cleanup plans and provide technical assistance to private entities (mostly property owners or developers) that are cleaning up a brownfield site for redevelopment. DOEE also issues certificates of completion, which are necessary before the brownfield site can be redeveloped.

The subtitle authorizes DOEE to license professionals who perform contamination remediation services. Under the subtitle, VCP applicants will be able to select their cleanup method from a set of broad cleanup standards the subtitle establishes and DOEE will be able to issue a conditional certificate of completion after the cleanup is complete, but before DOEE receives the cleanup report.<sup>70</sup>

The subtitle offers various technical amendments and clarifications to the VCP program, including who can participate in the VCP,<sup>71</sup> what security requirements they must provide,<sup>72</sup> and what they should include in their program application.<sup>73</sup> It also amends DOEE’s institutional control requirements,<sup>74</sup> clarifies the public notice requirements for different stages of the VCP;<sup>75</sup> and

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<sup>67</sup> Effective March 8, 2011 (D.C. Law 18-289; D.C. Official Code §8-2201 *et. seq.*).

<sup>68</sup> A person who is licensed to harass, repel, evict, exclude, possess, transport, liberate, reunite, rehome, take, euthanize, or kill wildlife.

<sup>69</sup> Brownfields are underutilized, abandoned, or idled properties where redevelopment is challenged by environmental contamination at the site.

<sup>70</sup> The cleanup report certifies that the cleanup plan has been completed (Brownfield Revitalization Amendment Act of 2000, effective June 15, 2001 (D.C. Law 13-312; D.C. Official Code § 8-633.06(a)).

<sup>71</sup> D.C. Official Code § 8-631.02(5).

<sup>72</sup> D.C. Official Code § 8-633.04.

<sup>73</sup> D.C. Official Code § 8-633.02.

<sup>74</sup> D.C. Official Code § 8-635.01.

<sup>75</sup> D.C. Official Code § 8-636.01.

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includes the reference to federal law<sup>76</sup> that describes a property owner’s liability for contamination issues.

### **Financial Plan Impact**

The VCP program already exists. DOEE’s fiscal year 2017 budget request for the program does not incorporate any new staff or non-personnel expenditures related to this subtitle.

## **Subtitle (VI)(C) - Air Quality Rulemaking Amendment Act of 2016**

### **Background**

The Department of Energy and Environment (DOEE) enforces federal and the District’s air quality laws through emission permits. It also monitors pollutant levels to ensure permit holders adhere to emissions standards.

The subtitle makes clear that DOEE has authority to issue fees and fines to enforce the Air Pollution Control Act.<sup>77</sup> It also allows DOEE to charge fees to cover the costs of services, such as document reviews.

### **Financial Plan Impact**

DOEE’s authority to issue fees and fines was inadvertently removed in 2014<sup>78</sup> and this subtitle reinstates that authority. Reimbursements for cost of services could increase General Fund revenue but as there is no program in place, the amounts cannot be estimated at this time.

## **Subtitle (VI)(D) - Energy Innovation and Savings Amendment Act of 2016**

### **Background**

Businesses that occupy commercial property in the District must keep their doors and windows closed when the air condition system is operating.<sup>79</sup> Current law exempts restaurants, hotels, and small stores from these restrictions; the law also makes exceptions for ingress and egress of people, delivery of goods (including through loading docks), and emergencies. The subtitle eliminates all of these exceptions, but allows the Mayor to issue rules regarding circumstances in which doors and windows can be open while an air conditioner is in operation.

### **Financial Plan Impact**

There are no costs associated with replacing statutory exemptions with regulations.

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<sup>76</sup> Comprehensive Environmental, Compensation, and Liability Act of 1980, effective December 11, 1980.

<sup>77</sup> Effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code §8-101.01 *et seq.*).

<sup>78</sup> Air Quality Amendment Act of 2014, effective September 9, 2014 (D.C. Law 20-135; D.C. Official Code § 8-101.06).

<sup>79</sup> The Energy Innovation and Savings Amendment Act of 2012, effective March 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*)

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### **Subtitle (VI)(E) - Product Stewardship Program Establishment Act of 2016**

#### **Background**

The Department of Energy and Environment (DOEE) runs two product recycling programs: one for electronics<sup>80</sup> and one for paint.<sup>81</sup>

The subtitle delays various application and compliance deadlines for the electronics recycling program.

- Deadline for a manufacturer to apply for registration with the District: from January 1, 2016 to December 31, 2016,
- Deadline for a manufacture to register its products with the District and label those products with the manufacturer’s identifying information: from January 1, 2016 to June 1, 2017,
- Deadline to begin diversion of electronic waste: from January 1, 2016 to January 1, 2017,
- Deadline for manufacturer’s to provide point-of-sale information on electronic recycling: from January 1, 2017 to January 1, 2018,
- Deadline for the first annual report to the Council on the program’s implementation and goal achievement progress: from March 1, 2017 to June 1, 2018, and
- Deadline to report to council on the effectiveness of the program in progressing toward achieving 80 percent electronic waste diversion from landfills by 2032.

The subtitle also establishes the Product Stewardship Fund, a non-lapsing, special purpose revenue fund into which the DOEE will deposit registration and shortfall fees<sup>82</sup> from the electronic recycling program and permit fees from the paint stewardship program. DOEE can spend the Fund resources on the District’s product stewardship programs.

#### **Financial Plan Impact**

DOEE is still developing the two programs so there is not sufficient program detail to reliably estimate the potential fee collections. For the same reason, delaying application deadlines do not have a fiscal impact.

### **Subtitle (VI)(F) - Clean and Affordable Energy Amendment Act of 2016**

#### **Background**

The Department of Energy and Environment (DOEE) contracts with a Sustainable Energy Utility (SEU) to run programs that promote and support sustainable energy use in the District. The SEU is not a regulated utility, but rather a private firm that receives a one-year contract from the District. D.C. law requires this contract to include minimum performance benchmarks the SEU must meet such as reducing energy consumption, increasing renewable energy capacity, efficiency and green jobs in the District.

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<sup>80</sup> Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 1041.01 *et seq.*).

<sup>81</sup> Paint Stewardship Act of 2014, effective March 11, 2015 (D.C. Law 20-2015, D.C. Official Code § 8-233.01 *et seq.*).

<sup>82</sup> Shortfall fees are required payments by manufacturers when the weight of electronics they collect and recycle or reuse falls short of a manufacturer’s minimum required share.

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At the end of each contract year, the Sustainable Energy Utility Advisory Board evaluates the SEU’s performance,<sup>83</sup> and must report its findings to the Council within thirty days after the conclusion of the contract year. The subtitle extends the Board’s timeline to report to Council from thirty days to ninety days.

**Financial Plan Impact**

There is no cost to the extension. The Board must use in its report the results of an independent evaluation, measurement, and verification of the contractor’s performance.<sup>84</sup> The Board requests this extension so it would have sufficient time to review those independent results.

**Subtitle (VI)(G) - Streetcar Authorization Amendment Act of 2016**

**Background**

Under current law, the District Department of Transportation’s authority to plan and operate a Streetcar program expires on September 30, 2015.<sup>85</sup> The subtitle repeals the sunset provision.

**Financial Plan Impact**

The subtitle is a technical correction. The DC Streetcar began operations on February 27, 2016, so the sunset is no longer necessary.

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<sup>83</sup> As a part of this review, the Board provides DDOE recommendations on the performance benchmarks for DOEE to include in the future contracts. Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.01).

<sup>84</sup> Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.05).

<sup>85</sup> Section 5 of the District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code§ 50-921.71, note).

**TITLE VII- FINANCE AND REVENUE**

**Subtitle (VII)(A) – Subject to Appropriation Amendment Act of 2016**

**Background**

The subtitle authorizes expenditures for the following laws, which had been enacted, but not funded in the past.

- The Injured Worker Fair Pay Amendment Act of 2015<sup>86</sup>, which increases workers’ compensation payments whenever District employees receive city-wide raises or cost-of-living adjustments; and
- The Access to Emergency Epinephrine in Schools Act of 2015<sup>87</sup>, which sets up a program to provide District public schools with epinephrine injectors and train staff to administer injections to students.

**Financial Plan Impact**

Repealing the subject to appropriations provision of the above-mentioned laws authorizes additional expenditures of approximately \$1.4 million in FY 2017 and \$5.8 million over the four year financial plan period. These costs are included in the proposed budget and financial plan.

Subject to Appropriations Amendment Act of 2016, Expenditures					
FY 2017-FY 2020 (\$ thousands)					
	FY 2017	FY 2018	FY 2019	FY 2020	Four Year Total
Injured Worker Fair Pay Amendment Act of 2015	\$1,200	\$1,300	\$1,300	\$1,300	\$5,100
Access to Emergency Epinephrine in Schools Act of 2015	\$168	\$173	\$179	\$179	\$699
<b>Total Program Expenditure</b>	<b>\$1,368</b>	<b>\$1,473</b>	<b>\$1,479</b>	<b>\$1,479</b>	<b>\$5,799</b>

Source: Office of Revenue Analysis

**Subtitle (VII)(B) – Prior Budget Act Amendments of 2016**

**Background**

The subtitle makes two changes to last year’s Budget Support Act<sup>88</sup>:

- It changes the name of Office of Cable Television, Film, Music, and Entertainment<sup>89</sup> to the Office of Film, Television and Entertainment; and,
- It eliminates the spending cap on the Kids Ride Free program<sup>90</sup>, and changes the program’s expiration date from fiscal year 2016 to fiscal year 2017.

**Financial Plan Impact**

Changing the name of the agency has no cost.

<sup>86</sup> Injured Worker Fair Play Amendment Act of 2015, effective December 13, 2015 (D.C. Law 21-39; D.C. Official Code § 1-601.01 *et seq.*).

Access to Emergency Epinephrine in Schools Act of 2015, effective March 6, 2016 (D.C. Law 21-77; D.C. Official Code § 38-6S51.01 *et seq.*).

<sup>88</sup> The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; \*\*\*).

<sup>89</sup> D.C. Official Code § 34-1251.01.

<sup>90</sup> D.C. Official Code § 35-233(h)(6).

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The fiscal year 2017 budget request includes \$18.6 million for all transportation subsidy programs for students, including the Kids Ride Free on Rail program, which subsidizes rail transport for students. In fiscal year 2016, the program has so far spent \$12.8 million, including \$2.9 million of the \$7 million allocation for the Kids Ride Free on Rail program. The District must eliminate the \$7 million program cap and extend the deadline so that the District Department of Transportation can continue the program for one more fiscal year.

The program is still subject to reporting risk as the expenditure information is not available immediately (for example from the District’s accounting system of record) and the agency must rely on the Washington Metropolitan Area Transit Authority reports to track expenditures. The District Department of Transportation’s Agency Fiscal Officer cannot know exactly when the program runs out of funds. This means the District Department of Transportation must watch the program extremely closely, providing regular reports to the Office of the Chief Financial Officer on usage, expenditures, and student balances on Metrorail cards. Without this information, the District cannot know how much has been spent on the program in a timely manner.

### **Subtitle (VII)(C) – Combined Reporting Amendment Act of 2016**

#### **Background**

In fiscal year 2011, when District enacted combined reporting laws, it adopted accounting rules that would allow publicly traded companies to take a deduction in the future for the restatement of deferred tax assets and liabilities that they now had to recognize in their financial statements.<sup>91</sup> Under these rules, companies would be able to take deductions starting fiscal year 2016 for seven years.<sup>92</sup> The proposed subtitle delays the deductions by an additional five years, so companies will not be able to take these deductions until fiscal year 2021.

#### **Financial Plan Impact**

Delaying Financial Accounting Standards #109 credits will increase corporate income tax collections by \$3.7 million in fiscal year 2016, and by \$7.4 million annually beginning fiscal year 2017. The full impact of the delay over the four-year budget and financial plan period is \$29.8 million. The fiscal impact of the subtitle is incorporated into the proposed budget and financial plan.

<b>Estimated Fiscal Impact of Subtitle VII (C) – Combined Reporting Amendment Act of 2016</b>						
<b>FY 2016 and FY 2017-FY 2020 (\$ thousands)</b>						
	<b>Current fiscal year</b>	<b>Proposed Budget and Financial Plan</b>				
	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>Four-Year Total</b>
Increase in corporate franchise taxes	\$3,721	\$7,443	\$7,443	\$7,443	\$7,443	\$29,772

Source: Office of Revenue Analysis

<sup>91</sup> According to the Statement of Financial Accounting Standards #109 (FAS #109), the effects of income taxes resulting from transactions occurring in the current and preceding years must be reported on an entity’s financial statement for current and future years. This includes accounting for certain deferred tax liabilities and assets to reflect the future tax consequences of events that have been recognized in a corporation’s financial statement or tax return (See Massachusetts Technical Information Release 09-8).

<sup>92</sup> D.C. Official Code § 47-1810.08(b).

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**Subtitle (VII)(D) – Supermarket Tax Incentives Clarification Act of 2016**

**Background**

The subtitle makes Square 2960 in Ward 4 an eligible location for supermarket tax incentives.<sup>93</sup>

**Financial Plan Impact**

The subtitle will reduce property tax revenue by \$237,000 in fiscal year 2017 and \$1 million over the four-year budget and financial plan.

Reduced revenue due to Supermarket Tax Incentives Clarification Act of 2016					
FY 2017-FY 2020 (\$ thousands)					
	FY 2017	FY 2018	FY 2019	FY 2020	Four Year Total
Reduced Property Tax Revenue	\$237	\$248	\$260	\$273	\$1,018

Source: Office of Revenue Analysis

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<sup>93</sup> See D.C. Official Code § 47-3802 for more on the supermarket tax incentives.

## TITLE VIII – CAPITAL BUDGET

### **Subtitle (VIII)(A) – Fiscal Year 2017 Capital Project Reallocation Approval Act of 2016**

#### **Background**

The subtitle authorizes the Office of the Chief Financial Officer to reallocate approximately \$180.8 million in bond balances<sup>94</sup> from the capital projects with slow activity to fifteen projects with insufficient bond balances to cover expenditures. The reallocation does not change project costs or authorized budget amounts; rather, it directs capital funds to projects that are most likely to spend them. In this way, the District can make better use of the bonds proceeds in escrow (at a low interest rate), improve cash flow, and reduce future borrowing. The two tables below show the sources and uses of these funds.

<b>Subtitle (VIII)(A) – Projects that will serve as source of financing</b>		
<b>TABLE A</b>		
<b>Owner Agency Name</b>	<b>Project Title</b>	<b>Total</b>
<b>Department of Behavioral Health</b>	Integrated Care Applications Management	\$145,551
	St. Elizabeths Information Technology System	\$81,575
<b>Department of Corrections</b>	DOC Elevator Refurbishment	\$1,600,000
	Roof Refurbishment at DOC Facilities	\$2,008,089
<b>Department of Employment Services</b>	Unemployment Insurance Modernization Project	\$7,354,064
<b>Department of General Services</b>	Facility Condition Assessment	\$1,088,698
<b>Department of Health Care Finance</b>	District Operated Health Information System	\$3,145,040
	Medicaid Payment Management System	\$1,313,068
	MMIS System Upgrade	\$2,300,000
<b>Department of Parks and Recreation</b>	American with Disabilities Act Compliance	\$75,757
	Barry Farm Recreation Center	\$3,927,608
	Benning Park Recreation Center Rehab	\$1,400,000
	Benning Stoddert Modernization	\$3,124,785
	Edgewood Recreation Center	\$14,000,000
	Fort Davis Recreation Center	\$2,000,000
	Fort Greble Recreation Center	\$1,000,000
	Friendship Park	\$880,968
	Hillcrest Recreation Center	\$1,500,000
	Ivy City Community Center	\$1,925,000
	Park Improvements - Project Management	\$393,520
	Ward 2 Public Park Rehabilitation	\$334,244
	<b>Department of Public Works</b>	Upgrade to DPW Fueling Sites
<b>Deputy Mayor for Planning and Economic Development</b>	New Communities	\$9,000,000
	Saint Elizabeths E Campus Infrastructure	\$1,546,808
	Strand Theatre	\$1,000,000
<b>District Department of Transportation</b>	Equipment Acquisition - DDOT	\$3,526,564
	Georgetown Streetscape Improvements	\$500,000
	Great Streets Initiative	\$292,359
	Pedestrian Bridge – Parkside	\$9,678,669
	Planning, Management, and Compliance	\$148,484
	Power Line Undergrounding	\$4,000,000
	Prevention of Flooding in Bloomingdale/Ledroit Park	\$1,508,674
	Railroad Bridges	\$10,340
	Rhode Island Avenue, NE Small Area Plan	\$599,509

<sup>94</sup> There can be balances currently held, or from approved and pending, but not yet issued, bonds.

The Honorable Phil Mendelson

Fiscal Impact Statement for "Fiscal Year 2017 Budget Support Act of 2016," based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

Subtitle (VIII)(A) – Projects that will serve as source of financing		
TABLE A		
Owner Agency Name	Project Title	Total
	South Capitol Street/Frederick Douglass Bridge	\$40,000,000
	Streetcars	\$43,409
	Traffic Operations Center	\$1,500,000
District of Columbia Public Library	Capitol View Library	\$4,500,000
	Cleveland Park Library	\$4,125,000
	Palisades Library	\$5,700,000
	Woodbridge Library	\$3,091,863
District of Columbia Public Schools	Coolidge HS Modernization/Renovation	\$3,000,000
	Deal MS Modernization/Renovation	\$11,664
	Drew ES Modernization/Renovation	\$39,641
	Johnson MS Renovation/Modernization	\$2,886,000
	Maintenance Improvements	\$7,738,513
	Martin Luther King ES Modernization	\$538,150
	McKinley Modernization	\$11,442
	Moten ES Modernization	\$1,565,607
Fire and Emergency Management Services	Engine 22 Firehouse Replacement	\$3,000,000
	Engine 27 Major Renovation	\$2,000,000
	Engine Company 16 Renovation	\$2,268,528
Metropolitan Police Department	Automation of Report Generation and Purchase	\$300,000
	Specialized Vehicles - MPD	\$2,000,000
Office of the Chief Financial Officer	CFO Solve	\$569,613
Office of the Chief Technology Officer	Citywide Disk Based Backup Infrastructure	\$445,022
	DC Cable Net	\$83,199
	DC Government Citywide IT Security Program	\$1,500,000
	DC Government New Data Center Build-Out	\$3,000,000
	Transportation Infrastructure Modernization	\$581,460
Office of the Secretary	Archives	\$3,284,215
Office of the State Superintendent of Education	Single State-Wide Student Information System	\$1,800,000
Special Education Transportation	Bus Facility Upgrades	\$2,740,000
	DOT GPS System	\$1,000,000
<b>Grand Total</b>		<b>\$180,809,546</b>

Subtitle (VIII)(A) – Projects that will use financing		
TABLE B		
Owner Agency Name	Project Title	Total
Department of Human Services	Case Management System - GO Bonds	\$14,000,000
Department of Parks and Recreation	Edgewood Recreation Center	\$14,000,000
	Park Improvements	\$19,000,000
	Ridge Road Recreation Center	\$9,730,000
Deputy Mayor for Economic Development	McMillan Site Redevelopment	\$1,467,000
District Department of Transportation	Alley Rehab	\$3,000,000
District of Columbia Public Schools	Ballou HS	\$20,100,000
	Brookland MS Modernization	\$8,200,000
	High School Labor - Program Management	\$5,000,000
	Major Repairs/Maintenance	\$6,100,000
	Roosevelt HS Modernization	\$15,500,000
Fire and Emergency Management Services	FEMS Scheduled Capital Improvements	\$2,275,000
State Superintendent of Education	Evans Campus	\$2,000,000
WMATA	WMATA CIP Contribution	\$40,437,546
	WMATA Fund - PRIAA	\$20,000,000
<b>Grand Total</b>		<b>\$180,809,546</b>

The Honorable Phil Mendelson

Fiscal Impact Statement for “Fiscal Year 2017 Budget Support Act of 2016,” based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

The reallocated proceeds come from the following bond issuances:

Bond Issuance Series	Total
2010A	\$140,465
2012C I.T.	\$10,109,211
2013A G.O.	\$9,540,859
2013A GO	\$1,576,078
2014 A/B GO	\$25,054
2014C G.O.	\$37,240,108
2015A G.O.	\$429,148
Pending	\$121,748,623
Grand Total	\$180,809,546

### **Financial Plan Impact**

The reallocation does not change the budget authority for any one of the capital budget projects the bill cites. The intent is improve resource use by reallocating available bond balances to where they are needed.

## **Subtitle (XIII)(B) – Capital Project Review and Reconciliation Amendment Act of 2016**

### **Background**

Under current law, the Office of the Chief Financial Officer can remove any balance from dormant capital projects (projects that did not spend any money for three consecutive years).<sup>95</sup> The OCFO then transfers these funds to the Alley Rehabilitation Project and make them available for other capital projects.

The proposal clarifies that the Alley Rehabilitation Project will continue to hold the balances from dormant projects, unless the dormant project was backed by Master Lease financing. If that is the case, the money from the dormant project will be held at the WMATA Fund project (project SA311C).<sup>96</sup>

### **Financial Plan Impact**

This is a technical amendment.

The District’s Master Lease account is a revolving credit account with strict use limits. The bank requires the District to use this account only to buy items that can be recovered—that is, in case of default, repossessed and sold. The District may not use Master Lease credits to improve public space such as roads, sidewalks, or alleys since these are not recoverable assets. The District also cannot hold Master Lease funds, even temporarily, in a projects associated with such unrecoverable public use.

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<sup>95</sup> D.C. Official Code § 1-325.151.

<sup>96</sup> The WMATA Fund project (SA311C) holds the Capital Project Support Fund, which, before fiscal year 2016, held all dormant funds. One of the two accounts under the Capital Project Support Fund is the Non-Bond Account which holds all surplus funds financed by non-bond monies including those from the Local Street Maintenance Fund, Master Equipment Lease/Purchase financing, Sale of Assets and Pay-as-You-Go capital funding (excluding federal grants and Federal Highway Trust Fund).

The Honorable Phil Mendelson

Fiscal Impact Statement for “Fiscal Year 2017 Budget Support Act of 2016,” based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

### **Subtitle (XIII)(C) – Reverse Paygo Reprogramming Clarification Act of 2016**

#### **Background**

The subtitle defines the term “reverse paygo transfer” as the reprogramming of authorized paygo capital budget funds to the operating budget.<sup>97</sup> It also establishes that when determining whether reverse paygo transfers would require Council approval, the relevant measure will be adjustments to each project on the capital side, and not the combined adjustments to the operating budget.

Each reverse paygo transfer is recorded in a single operating account even when, on the capital side, the paygo could originate from many different projects. Under the subtitle, the budget taken from each project on the capital side, and not the budget recorded in the single account on the operating side, will be the basis of determining if the reverse transfer requires Council approval.

#### **Financial Plan Impact**

D.C. laws allow the Mayor to proceed with any reprogramming under \$500,000 without Council approval. If the reprogramming is from the operating budget to a capital project, the threshold for Council approval is the cumulative adjustment to the project’s capital budget during that fiscal year.<sup>98</sup> This ensures that the combined reprogramming to a capital project would still receive Council review when their the project’s budget changes by more than \$500,000, even when individual reprogramming can each be under the trigger limit.

The subtitle extends the same practice to reverse capital transfers.

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<sup>97</sup> By adding a new paragraph (15) o D.C. Official Code § 47-361.

<sup>98</sup> D.C. Official Code § 47-361(14)

## TITLE IX – SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS

### Subtitle (IX)(A) – Designated Fund Transfer Act of 2016

#### Background

The subtitle would allow the District to use the balances of various funds as a source of revenue in fiscal years 2017 through 2020. Of the \$9.1 million swept from the Credit Enhancement, Geneva Funds at the Office of State Superintendent of Education, \$4.4 million will be dedicated to the Charter School Credit Enhancement Fund within the same agency.

Subtitle (IX)(A) – Designated Fund Transfer Act of 2016 - Designated Fund Balances		
Agency	Fund Name	Amount
<b>Local Funds</b>		
<b>Department of Small and Local Business Development</b>	Microloan/Small Business Capital Access Fund	\$228,362
	Streetscape Loan Relief Fund	\$1,584,297
<b>Office of the City Administrator</b>	Pay for Success Contract Fund	\$2,699,287
<b>Office of the State Superintendent of Education</b>	Credit Enhancements, Geneva Funds	\$9,411,800
	<b>Total</b>	<b>\$13,923,746</b>
<b>Dedicated Taxes:</b>		
<b>Alcohol Beverage Regulation Administration</b>	Dedicated Taxes	\$400,000
<b>Department of Health Care Finance</b>	Healthy DC Fund	\$6,000,000
	<b>Total</b>	<b>\$6,400,000</b>
<b>Purpose Restrictions and other Special Purpose Funds:</b>		
<b>Department of Consumer and Regulatory Affairs</b>	Green Building Fund	\$1,409,850
	Basic Business License Fund	\$268,332
	Board of Engineers Fund	\$697,203
	Corporate Recordation Fund	\$112,879
	Vending Regulations Fund	\$984,622
	Cable Franchise Fees	\$7,113,314
<b>Department of Disability Services</b>	Cost of Care for Non-Medicaid Clients	\$772,757
<b>Department of Health</b>	Pharmacy Protection	\$2,100,000
<b>Department of Human Services</b>	SSI Payback	\$1,000,000
<b>Department of Insurance, Securities, Banking</b>	Foreclosure Mediation Fund (temporary)	\$340,500
<b>District Department of Transportation</b>	DDOT Enterprise Fund, Non-tax revenues	\$3,000,000
<b>Office of the Chief Financial Officer</b>	Recorder of Deeds Surcharges	\$3,000,000
<b>Office of the Chief Technology Officer</b>	DC Net Service Support	\$4,800,000
<b>Office of Victim Services</b>	Crime Victims Assistance Fund	\$2,600,000
<b>Unemployment Compensation Fund</b>	Unemployment Compensation Fund	\$1,000,000
	<b>Total</b>	<b>\$29,199,457</b>
<b>TOTAL</b>		<b>\$49,523,203</b>

The Honorable Phil Mendelson

Fiscal Impact Statement for "Fiscal Year 2017 Budget Support Act of 2016," based on the draft bill shared with the Office of Revenue Analysis on March 24, 2016

**Financial Plan Impact**

The proposed subtitle sweeps \$49.5 million from balances of various local, dedicated tax, and special purpose funds. Of this amount, \$4.4 million is redirected to another special purpose fund; the remaining \$45.1 million is converted into unrestricted local funds. The proposed budget and financial plan includes \$36.5 million of fund balance use in fiscal year 2017 and \$1.4 million in fiscal year 2020. The Capital Improvement Plan for fiscal years 2017 through 2022 uses the remaining \$7.2 million as pay-go.

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A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To enact and amend provisions of law necessary to support the Fiscal Year 2017 budget.

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173 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
174 act may be cited as the “Fiscal Year 2017 Budget Support Act of 2016”.

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

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

177 Sec. 1001. Short title.

178 This subtitle may be cited as the “Bonus and Special Pay Act of 2016”.

179 Sec. 1002. Bonus and special pay; generally.

180 (a) Unless authorized pursuant to this subtitle, no funds shall be used to support the  
181 categories of bonus pay or special awards pay. The prohibition on the use of funds under this  
182 subtitle shall include funds transferred by the District to a quasi-governmental agency or entity  
183 and to funds transferred by the District through a grant.

184 (b) Notwithstanding subtitle (a) of this section, an agency or entity may use funds to  
185 support the categories of bonus pay or special awards pay if the agency or entity establishes a  
186 program as required by section 1003 and meets the other requirements as provided by this  
187 subtitle.

188 Sec. 1003. Bonus and special pay; Performance Based Rewards Program.

189 (a) In order to use funds for bonus pay or special awards pay, a District agency, office, or  
190 entity must establish a Performance Based Rewards Program (“Program”) that is approved by  
191 the personnel authority for the relevant agency, office, or entity.

192 (b) A Program established pursuant to this subtitle must include detailed regulations for  
193 the payment of bonus pay or special pay awards to employees that contain, at a minimum, the  
194 following requirements:

195 (1) Limits the authorization period for bonus pay and special pay awards to within  
196 the fourth quarter of the fiscal year;

197 (2) Limits the issuance of bonus pay or special awards pay to a one-time basis,  
198 without any promise or suggestion of continuing payments;

199 (3) Limits the issuance of bonus pay or special awards pay to employees on an  
200 individual basis, and not to a group or class of employees unless each of the employees in the  
201 group or class individually warrants such payment;

202 (4) Requires any issuance of bonus or special awards pay to be based on  
203 performance, with the employee exceeding expectations of the supervisor or employer;

204 (5) Requires that an employee have had a performance evaluation no more than  
205 90 days prior to the issuance of a bonus pay or special award pay;

206 (6) Requires written justification for the bonus pay or special awards pay by the  
207 employees immediate supervisor or the head of the agency or office

208 (7) Caps the amount of bonus pay or special awards pay that can be received at 10  
209 percent of the employee's base rate of pay or, for an employee paid at an hourly rate, does not  
210 exceed 10 percent of the employee's wages for the 12 months preceding the award; and

211 (8) Limits the availability of any bonus pay or special awards pay to once per  
212 calendar year and prohibits an employee from receiving a bonus payment and special pay award  
213 within the same calendar year.

214 (c) Any Program for an Executive branch agency or independent agency shall be  
215 approved by the District of Columbia Human Resources Department prior to implementation.

216 Sec. 1004. Bonus and special pay; reporting requirements.

217 In addition to any other requirements under this subtitle, any bonus pay or special awards  
218 pay made under section 1002(b) of this section shall be followed, within 60 days of the payment,  
219 by notification in writing to the relevant personnel authority of the issuance of a bonus payment  
220 or special awards payment and a description of that award that includes the employee's name,  
221 title, salary, award amount, and detailed justification for the award.

222 Sec. 1005. Bonus or special pay; subordinate agency heads ineligible.

223 Any authorization under this subtitle for the use of funds to support the categories of  
224 bonus pay or special awards pay shall not extend to a subordinate agency head in the Executive

225 Service established by subchapter X-A of the District of Columbia Comprehensive Merit  
226 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
227 610.51 et seq.).

228 Sec. 1006. Bonus or special pay; exceptions to prohibition.

229 (a) Notwithstanding the prohibition in section 1002, funds may be used to pay:

230 (1) Retirement awards;

231 (2) Hiring bonuses for difficult-to-fill positions;

232 (3) Additional income allowances for difficult-to-fill positions;

233 (4) Agency awards or bonuses funded by private grants or donations;

234 (5) Employee awards pursuant to section 1901 of the District of Columbia Government

235 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.

236 Official Code § 1-619.01);

237 (6) Safe-driving awards;

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

239 (8) Suggestion or invention awards;

240 (9) Quality steps;

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

242 (11) Any other award or bonus required by an existing contract or collective bargaining

243 agreement that was entered into before the effective date of this subtitle.

244 (b) Notwithstanding the prohibition in section 1002 or any other provision of law, no

245 restrictions on the use of funds to support the categories of special awards pay (comptroller

246 subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply to employees of the

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

249 (c) Notwithstanding the prohibition in section 1002 or any other provision of law,  
250 the Office of the Attorney General shall pay employees of the Office of the Attorney General all  
251 performance allowance payments to which they are entitled or may become entitled under any  
252 approved compensation agreement negotiated between and executed by the Mayor and  
253 Compensation Unit 33 of the American Federation of Government Employees, Local 1403,  
254 AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments  
255 are necessary to satisfy the requirements of section 857 of the District of Columbia Government  
256 Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C.  
257 Official Code § 1-608.57), which requires the Attorney General’s performance management  
258 system to link pay to performance.

259 (d) Notwithstanding the prohibition in section 1002, the Office of the Attorney General  
260 and the subordinate agencies shall pay their employees all performance allowance payments to  
261 which they are entitled.

262 **SUBTITLE B. BEGA LOBBYIST FEE AND NOMINEE REVIEW PERIOD**

263 **AMENDMENT**

264 Sec. 1011. Short title.

265 This subtitle may be cited as the “BEGA Lobbyist Fee and Nominee Review Period  
266 Amendment Act of 2016”.

267 Sec. 1012. The Board of Ethics and Government Accountability Establishment and  
268 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-  
269 124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

270 (a) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

271 (1) Subsection (b)(1) is amended by striking the phrase “45-day” both times it  
272 appears and inserting the phrase “90-day” in its place.

273 (2) Subsection (c) is amended by striking the phrase “Chairman of the Ethics  
274 Board” and inserting the phrase “Chairperson of the Ethics Board” in its place.

275 (b) Section 205 (D.C. Official Code § 1-1162.05) is amended by striking the word  
276 “Chairman” both times it appears and inserting the word “Chairperson” in its place.

277 (c) Section 227(b)(2) (D.C. Official Code § 1-1162.27(b)(2)), is amended to read as  
278 follows:

279 “(2) The registration fee for lobbyists who lobby solely for nonprofit  
280 organizations shall be \$50. For the purposes of this paragraph, the term “nonprofit organization”  
281 means an organization exempt from taxation under section 501(c)(3) of the Internal Revenue  
282 Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).”.

283 **SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT**

284 Sec. 1021. Short title.

285 This subtitle may be cited as the “Employees’ Compensation Fund Clarification  
286 Amendment Act of 2016”.

287 Sec. 1022. Section 2342 of the District of Columbia Government Comprehensive Merit  
288 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
289 623.42), is amended as follows:

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

291 (1) Paragraph (1) is repealed.

292 (2) Paragraph (2) is amended by striking the phrase “expenses, except  
293 administrative expenses, authorized by this title or any extension or application thereof, except as  
294 otherwise provided by this subtitle or other statute.” and inserting the phrase “expenses incurred  
295 to implement the provisions of this act.” in its place.

296 (3) Paragraph (3) is repealed.

297 (b) Subsection (b) is repealed.

298 Sec. 1023. Section 1022(a) shall apply as of October 1, 2008.

299 **SUBTITLE D. CAPTIVE INSURANCE AGENCY BUDGET TECHNICAL**

300 **AMENDMENT**

301 Sec. 1031. Short title.

302 This subtitle may be cited as the “Captive Insurance Agency Budget Technical  
303 Amendment Act of 2016”.

304 Sec. 1032. The Captive Insurance Agency Establishment Act of 2008, effective July 18,  
305 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.81 *et seq.*), is amended as follows:

306 (a) Section 3 (D.C. Official Code § 1-307.82) is amended as follows:

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

308 “(2) Provide insurance for District real property assets and District personal  
309 property assets.”.

310 (2) Subsection (c) is amended to read as follows:

311 “(c) The liability of the Agency for medical malpractice liability, property insurance  
312 policies, and any other policies provided for pursuant to this act shall be limited to the funds in  
313 the Captive Trust Fund.”.

314 (b) Section 4(a) (D.C. Official Code § 1-307.83(a)) is amended as follows:

315 (1) Paragraph (1) is amended by striking the phrase “By delegation from the  
316 Mayor, to exercise” and inserting the word “Exercise” in its place.

317 (2) Paragraph (4A) is amended by striking the word “property”.

318 (c) Section 6(i)(2A) (D.C. Official Code § 1-307.85(i)(2A)) is amended by striking the  
319 word “property”.

320 (d) Section 8(b)(4A) (D.C. Official Code § 1-307.87(b)(4A)) is amended to read as  
321 follows:

322 “(4A) Establish procedures for the offering of insurance for District real property  
323 assets and District personal property assets;”.

324 (e) Section 11(a)(2) (D.C. Official Code § 1-307.90(a)(2)) is amended to read as follows:

325 “(2) Insurance for the benefit of the District for District real property assets and  
326 District personal property assets consistent with coverage offered in the market.”.

327 (f) Section 12(b) (D.C. Official Code § 1-307.91(b)) is amended as follows:

328 (1) Paragraph (5) is amended by striking the word “and” at the end.

329 (2) Paragraph (6) is amended by striking the period and inserting the phrase “;  
330 and” in its place.

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

332 “(7) Beginning with payments made from the Fund on or after December 1, 2014,  
333 the purchase of insurance on behalf of the District of Columbia government.”.

334 (g) Section 13 (D.C. Official Code § 1-307.92) is amended to read as follows:

335 “Sec. 13. Exemption from certain laws:

336 “The Agency shall not be subject to the:

337 “(1) Small and Certified Business Enterprise Development and Assistance Act of  
338 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*);

339 “(2) Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
340 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*); or

341 “(3) District of Columbia Government Comprehensive Merit Personnel Act of  
342 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*).”.

343 Sec. 1033. Section 40 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat.  
344 1080; D.C. Official Code § 31-2502.40), is amended by adding a new subsection (c) to read as  
345 follows:

346 “(c)(1) Each agent or broker engaged by the District of Columbia government to procure  
347 insurance on its behalf shall be exempt from the requirement, as set forth in subsection (a) of this  
348 section, to pay the 2 per centum of the amount of the gross premiums upon all kinds of policies  
349 procured by the agent or broker on behalf of the District of Columbia government.

350 “(2) To claim this exemption, the agent or broker shall include a statement  
351 identifying, for each item enumerated in the affidavit required by subsection (a) of this section,  
352 the portion allocated to policies procured on behalf of the District of Columbia government.

353 “(3) The exemption provided in this subsection shall not be construed to exempt  
354 any agent or broker from any other requirement imposed by this section.”.

355 **SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS**

356 Sec 1041. Short title.

357 This subtitle may be cited as the “Public-Private Partnerships Amendment Act of 2016”.

358 Sec. 1042. The Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C.  
359 Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

360 (a) Section 105(c) (D.C. Official Code § 2-272.04(c)) is amended by striking the phrase  
361 “sections 107 and 109” and inserting the phrase “this act” in its place.

362 (b) Section 108(f) (D.C. Official Code § 2-273.03(f)) is amended by striking the phrase  
363 “response period” and inserting the phrase “evaluation period as part of the report submitted to  
364 the Council pursuant to section 114(a)(1)” in its place.

365 (c) Section 109(b)(2) (D.C. Official Code § 2-273.04(b)(2)) is amended by striking the  
366 phrase “the unsolicited proposal.” and inserting the phrase “notice of the favorable evaluation of  
367 the unsolicited proposal, including a link to where a copy of the proposal may be publicly  
368 accessed on the Internet,” in its place.

369 (d) Section 301(a) (D.C. Official Code § 2-274.01(a)) is amended as follows:

370 (1) Paragraph (1) is amended by striking the phrase “projects; and” and inserting  
371 the phrase “projects;” in its place.

372 (2) Paragraph (2) is amended by striking the phrase “agreement.” and inserting  
373 the phrase “agreement; and” in its place.

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

375 “(3) Rules to address surety and bonding requirements of public-private  
376 partnership projects, including consistent baseline requirements across projects.”.

377 Sec. 1043. Section 105(c)(19) of the Procurement Practices Reform Act of 2010,  
378 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(19)), is amended by  
379 striking the phrase “titles VII and X” and inserting the phrase “title X” in its place.

380 **SUBTITLE F. OIG BUDGET PROCESS CLARIFICATION AMENDMENT**

381 Sec. 1051. Short title.

382 This subtitle may be cited as the “Office of the Inspector General Budget Process  
383 Clarification Amendment Act of 2016”.

384 Sec. 1052. Section 208(a)(2)(A) of the District of Columbia Procurement Practices Act  
385 of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-  
386 301.115a(a)(2)(A)), is amended as follows:

387 (a) Strike the phrase “without revision but subject to recommendations.” and insert the  
388 phrase “without revision but subject to recommendations, including recommendations on  
389 reallocating any funds from the Inspector General’s estimates to other items in the District  
390 budget.” in its place.

391 (b) Strike the phrase “Notwithstanding any other provision of such Act, the Council may  
392 comment or make recommendations concerning such estimates, but shall have no authority to  
393 revise such estimates.”.

394 Sec. 1053. Applicability.

395 This subtitle shall apply as of March 24, 2016.

396 **SUBTITLE G. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY**

397 Sec. 1061. Short title.

398 This subtitle may be cited as the “Use of Official Vehicles During an Emergency  
399 Amendment Act of 2016”.

400 Sec. 1062. Section 3602 of the Restrictions on the Use of Official Vehicles Act of 2000,  
401 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204), is amended by  
402 adding a new subsection (e) to read as follows:

403 “(e)(1) Notwithstanding any other provision of this section, during an emergency  
404 declared pursuant to section 5 of the District of Columbia Public Emergency Act of 1980,

405 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304), the Mayor may  
406 authorize an officer or employee of the Executive Office of the Mayor, the Office of the City  
407 Administrator, the Homeland Security and Emergency Management Agency, or the Metropolitan  
408 Police Department to use an official vehicle; provided, that the officer or employee may use the  
409 official vehicle only in the performance of the officer’s or employee’s duties and only to conduct  
410 official business.

411 “(2) Authorization provided pursuant to this subsection shall expire after 15 days  
412 or the end date of the declared emergency, whichever occurs later.

413 “(3) No later than 60 days after the end date of a declared emergency, the Mayor  
414 shall submit to the Council a report listing the following information for each officer or  
415 employee whom the Mayor authorized to use an official vehicle pursuant to this subsection:

416 “(A) The officer or employee’s name;

417 “(B) The officer or employee’s title and agency;

418 “(C) The length of time for which the Mayor authorized the officer or  
419 employee to use an official vehicle; and

420 “(D) A detailed justification of the necessity for the officer or employee to  
421 have access to and use an official vehicle.”.

422 **SUBTITLE H. BALLOT ACCESS MODERNIZATION**

423 Sec. 1071. Short title.

424 This subtitle may be cited as the “Ballot Access Modernization Amendment Act of  
425 2016”.

426 Sec. 1072. The District of Columbia Election Code of 1955, approved August 12, 1955  
427 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

428 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs  
429 (29) and (30) to read as follows:

430 “(29) “Mobile application” means specialized software, designed for a mobile  
431 device, in which electronic signatures are collected on an electronic petition.

432 “(30) “Mobile device” means a handheld, portable, wireless computing device,  
433 including a tablet computer or mobile phone.”.

434 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

435 (1) Paragraph (17) is amended by striking the phrase “; and” and inserting a  
436 semicolon in its place.

437 (2) Paragraph (18) is amended by striking the period and adding the phrase “;  
438 and” in its place.

439 (3) A new paragraph (19) is added to read as follows:

440 “(19)(A) Obtain or develop a mobile application that:

441 “(i) Connects the user to the Board’s computerized voter  
442 registration list to immediately confirm that a petition signer is a registered qualified elector;

443 “(ii) Maintains an up-to-date count of the number of  
444 electronic signatures collected; and

445 “(iii) Allows signed petitions to be printed out for  
446 submission to the Board;

447 “(B) No later than October 1, 2017, implement a pilot program that  
448 provides a limited number, as determined by the Board, of candidates, qualified petition  
449 circulators, and proposers with the option to use a mobile application, in addition to the paper

450 circulation process, to gather electronic signatures on a mobile device registered with the Board  
451 for the June 2018 Primary Election;

452 “(C) For the November 2018 General Election, and all subsequent  
453 elections, make a mobile application available to all candidates, qualified petition circulators,  
454 and proposers to install on a mobile device registered with the Board;

455 “(D) Issue rules to implement the use of a mobile application for all  
456 elections, including how to register a mobile device with the Board in order to utilize the mobile  
457 application, provided that such rules shall require signed petitions from the mobile application to  
458 be printed out and submitted to the Board.”.

459 (4) A new subsection (l) is added to read as follows:

460 “(l) For purposes of implementing the duties under subsection (a)(19) of this section, the  
461 Board is authorized to loan a mobile device to a candidate, qualified petition circulator, or  
462 proposer to utilize the mobile application. The Board is authorized to charge a reasonable  
463 refundable deposit for the use of the mobile device.”.

464 (c) Section 16(g) (D.C. Official Code § 1-1001.16(g)) is amended as follows:

465 (1) Strike the phrase “same size as the original.” and insert the phrase “same size  
466 as the original or shall utilize the mobile application made available under section 5(19).” in its  
467 place.

468 (2) Strike the phrase “ward numbers, and shall have printed on it, in a manner  
469 prescribed by the Board, the following:” and insert the phrase “ward numbers.” in its place.

470 (3) A new sentence is added at the end to read as follows:

471 “Each petition sheet shall have printed on it, and each mobile application shall  
472 electronically display, the following information:”.

473 (d) Section 17(e) (D.C. Official Code § 1-1001.17(e)) is amended as follows:

474 (1) Strike the phrase “as the original” and insert the phrase “as the original or  
475 shall utilize the mobile application made available under section 5(19)” in its place.

476 (2) Strike the phrase “ward numbers, and shall have printed on it the following:”  
477 and insert the phrase “ward numbers.” in its place.

478 (3) A new sentence is added at the end to read as follows:

479 “Each petition sheet shall have printed on it and each mobile application  
480 shall electronically display the following information:”.

481 Sec. 1073. Subsection 1603.8 of Chapter 16 of Title 3 of the District of Columbia  
482 Municipal Regulations is repealed.

483 **SUBTITLE I. DIRECTOR OF THE OFFICE OF COMMUNITY AFFAIRS**

484 **GRANT-MAKING**

485 Sec. 1081. Short title.

486 This subtitle may be cited as the “Mayor’s Office of Community Affairs Limited Grant-  
487 making Amendment Act of 2016”.

488 Sec. 1082. (a) In Fiscal Year 2017, the Director of the Office of Community Affairs  
489 (“Director”) shall have grant-making authority for the purpose set forth in subsection (b) of this  
490 section.

491 (b)(1) In Fiscal Year 2017, the Director shall award a grant of \$75,405 to provide  
492 housing-related assistance to members of the Caribbean population of the District.

493 (2) Before issuing the grant, the Director shall consult with the Mayor’s Advisory  
494 Commission on Caribbean Community Affairs regarding grant solicitation.

495           **SUBTITLE J. NEW COLUMBIA STATEHOOD COMMISSION**

496           **DISCRETIONARY FUNDING**

497           Sec. 1091. Short title.

498           This subtitle may be cited as the “New Columbia Statehood Commission Discretionary  
499 Fund Amendment Act of 2016”.

500           Sec. 1092. The District of Columbia Statehood Constitutional Convention Initiative of  
501 1979, effective May 2, 2015 (D.C. Law 20-271; D.C. Official Code § 1-129.31 *et seq.*), is  
502 amended to read as follows:

503           (a) Section 32(c) (D.C. Official Code § 1-129.32(c)) is amended as follows:

504                   (1) Designate the existing text as paragraph (1).

505                   (2) Insert a new paragraph (2) to read as follows:

506                           “(2)(A) Except as provided under subparagraph (B) under this paragraph, the  
507 Commission is authorized to provide for the expenditure of up to \$24,000 per year from the Fund  
508 for the purposes provided in section 35(a) of this act.

509                                   “(B) For Fiscal Year 2016, the Commission is authorized to provide for  
510 the expenditure of up to \$12,000.”.

511           (b) Section 35(a) (D.C. Official Code § 1-129.35(a)) is amended to read as follows:

512                   “(a) Except as provided in subsection (b) of this section, a member of the Statehood  
513 Delegation shall use New Columbia Statehood Fund monies for:

514                           “(1) Any expense closely and directly related to the operation of his or her office;

515 and

516                           “(2) Any expense that the Commission deems necessary for appropriate purposes;  
517 provided, that the Commission’s determination of necessity shall be final and conclusive, and its

518 certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this  
519 section.”.

520 **SUBTITLE K. PDS CREDITABLE SERVICE CLARIFICATION**

521 Sec. 1101. Short title.

522 This subtitle may be cited as the “Public Defender Service Creditable Service  
523 Clarification Amendment Act of 2016”.

524 Sec. 1102. Section 2604(1) of the District of Columbia Government Comprehensive  
525 Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27, D.C. Official Code § 1-  
526 626.04(1)), is amended by adding a new subparagraph (C) to read as follows:

527 “(C)(i) For purposes of vesting pursuant to section 2610(b), and  
528 notwithstanding any other provision of law or any prior agreement with the Public  
529 Defender Service for the District of Columbia, creditable service with the District for  
530 employees of the Public Defender Service of the District of Columbia hired on or after  
531 October 1, 1987 and before September 16, 1991 shall be calculated to include service  
532 beginning as of the commencement of employment.

533 “(ii) This subparagraph shall apply as of October 1, 1987.”.

534 **SUBTITLE L. RETIREMENT SURVIVOR EQUITY BENEFIT**

535 Sec. 1111. Short title.

536 This subtitle may be cited as the “Equity in Survivor Benefits Clarification Amendment  
537 Act of 2016”.

538 Sec. 1112. Section 4 of the District of Columbia Spouse Equity Act of 1988, effective  
539 March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.03), is amended by adding a new  
540 subsection (f) to read as follows:

541 “(f) The Mayor is not obligated to comply with a qualifying court order issued after an  
542 employee’s death.”.

543 **SUBTITLE M. ARCHIVES EMINENT DOMAIN AUTHORITY**

544 Sec. 1121. Short title.

545 This subtitle may be cited as the “Archives Eminent Domain Authority Act of 2016”.

546 Sec. 1122. Findings.

547 The Council finds that:

548 (1) The District of Columbia Office of Public Records and Archives (“the  
549 Archives”) is currently headquartered at 1300 Naylor Court, N.W.

550 (2) The Fiscal Year 2017 Budget Local Portion Adoption Act of 2016, as  
551 introduced on March 24, 2016 (Bill 21-668), provides funding to allow the Archives to relocate  
552 to a site that meets several criteria outlined in a report commissioned by the Department of  
553 General Services, which found that the preferred alternative would be a stand-alone, purpose-  
554 built, new facility requiring approximately 135,000 gross building square feet.

555 (2) The Archives building is to be a mix of high-quality, environmentally  
556 controlled storage space, and several thousand square feet of space for the public to access the  
557 Archives, office space, and meeting space.

558 (3) The District desires to relocate the Archives to a new facility to be developed  
559 on Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 (“W Street Site”)  
560 that, combined, comprise approximately 147,000 square feet.

561 (4) The W Street Site is currently occupied by a private trash transfer station.

562 (5) The trash transfer station is a blighting factor in Brentwood and its  
563 surrounding communities.

564 (6) Residents of Brentwood and the surrounding communities have concerns  
565 regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin,  
566 and have complained that there is an increased incidence of health concerns.

567 (7) The W Street Site trash transfer station continues to operate as an open-air  
568 trash transfer station which allows its pungent odors to reach much farther than they would if the  
569 facility were closed.

570 (8) Since August 2012, the District Department of the Environment has conducted  
571 at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer  
572 station.

573 (9) The W Street Site will provide an opportunity to construct and establish a  
574 state-of-the-art archival government facility centrally located within the District of Columbia in  
575 close proximity to Metrorail and Metrobus service.

576 Sec. 1123. Exercise of eminent domain.

577 The Mayor may exercise eminent domain in accordance with the procedures set forth in  
578 subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots  
579 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in  
580 section 2.

581 **SUBTITLE N. ADVISORY NEIGHBORHOOD COMMISSIONS SIGN-**  
582 **LANGUAGE INTERPRETERS PILOT PROGRAM.**

583 Sec. 1131. This subtitle may be cited as the “Advisory Neighborhood Commissions  
584 Access to Sign-Language Interpreters Amendment Act of 2016”.

585           Sec. 1132. Section 18 of the Advisory Neighborhood Commissions Act of 1975,  
586 effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.15), is amended by  
587 adding a new subsection (d) to read as follows:

588           “(d)(1) Beginning October 1, 2016, the Office shall conduct a one-year pilot program to  
589 provide sign-language interpreters, upon request, for Commission meetings and subcommittee  
590 meetings.

591                       “(A) The Office shall establish a procedure for Commissions to submit  
592 requests.

593                       “(B) The provision of interpreters shall be subject to available funding.

594           “(2) On April 1, 2017, the Office shall submit a mid-year report to the Council  
595 that includes:

596                       “(A) The number of interpreters requested;

597                       “(B) The number of requests approved;

598                       “(C) The average length of time the interpreters were needed;

599                       “(D) The average hourly cost of interpreters;

600                       “(E) The total amount spent on the pilot through the date of submission;

601 and

602                       “(F) An assessment of the effectiveness of the pilot, including  
603 recommendations on its future.”.

604           **SUBTITLE O. HISTORIC DISTRICT FEES**

605           Sec. 1141. Short title.

606           This subtitle may be cited as the “Historic District Fees Act of 2016”.

607           Sec. 1142. Notwithstanding any other provision of law, a building permit shall not be  
608 required for the proposed erection, construction, conversion, or alteration of any structure in a  
609 historic district if it would not be required to perform the same work on an identical structure in a  
610 non-historic district.

611           **SUBTITLE P. CONSTITUENT SERVICES EXPENDITURE LIMIT**

612           Sec. 1151. Short title.

613           This subtitle may be cited as the “Constituent Services Expenditures Limit Amendment  
614 Act of 2016”.

615           Sec. 1152. Section 338(a) Board of Ethics and Government Accountability Establishment  
616 and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012; D.C.  
617 Official Code § 1-1163.38(a)), is amended by striking the phrase “expend a maximum of  
618 \$40,000” and inserting the phrase “expend a maximum of \$60,000” in its place.

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

620           **SUBTITLE A. QHTC DIGITAL MEDIA AND BOUNDARY AMENDMENT**

621           Sec. 2001. Short title.

622           This subtitle may be cited as the “Qualified High Technology Company Boundary and  
623 Media Clarification Amendment Act of 2016”.

624           Sec. 2002. Section 47-4665(a) of Title 47 of the District of Columbia Official Code is  
625 amended as follows:

626           (a) Paragraph (1) is amended by striking the phrase “Qualified High Technology  
627 Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital  
628 Media Company” in its place.

629 (b) Paragraph (3) is amended by striking the phrase “Qualified High Technology  
630 Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital  
631 Media Company” in its place.

632 (c) A new paragraph (6A) is added to read as follows:

633 “(6A)(A) “Qualified Digital Media Company” means:

634 “(i) An individual or entity organized for profit and leasing or  
635 owning an office in the District of Columbia;

636 “(ii) Having 2 or more qualified employees in the District; and

637 “(iii) Deriving at least 51% of its gross revenues earned in the  
638 District from media production; provided, that those revenues are derived from the sale or  
639 advertising of original media content that the individual or entity:

640 “(I) Produces within a facility that it leases or owns inside  
641 the District and that includes permitted production space utilized by the individual or entity  
642 specifically for the creation of original media content; and

643 “(II) Transmits digitally, including via digital transmission,  
644 the electromagnetic spectrum, or Internet streaming.

645 “(B) “Qualified Digital Media Company” shall not include:

646 “(i) An individual or entity that derives 51% or more of its gross  
647 revenues from the operation in the District of:

648 “(I) An on-line or brick and mortar retail store;

649 “(II) An electronic equipment facility that is primarily  
650 occupied, or intended to be occupied, by electronic and computer equipment that provides

651 electronic data switching, transmission, or telecommunication functions between computers,  
652 both inside and outside the facility; or

653 “(III) A building or construction company; or

654 “(ii) A professional athletic team as defined in section 47-  
655 2002.05(a)(3).”.

656 (d) Paragraph (9) is amended to read as follows:

657 “(9) “Tenant” means a Qualified High Technology Company or Qualified Digital  
658 Media Company that executes a lease or a sublease for at least 50,000 square feet of net rentable  
659 area of eligible premises within the District, including within the “DC Ballpark TIF Area” as  
660 defined in section 12a of the Tax Increment Financing Authorization Act of 1998, effective April  
661 8, 2005 (D.C. Law 15-320; D.C. Official Code § 2-1217.12), for a minimum term of 12 years,  
662 under which the tenant, or a directly related entity, occupies and uses the eligible premises, or  
663 will occupy and use the eligible premises, on or after the lease commencement date.”.

664 **SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT**

665 Sec. 2011. Short title.

666 This subtitle may be cited as the “Inaugural Celebration Amendment Act of 2016”.

667 Sec. 2012. Section 25-723(e)(1) of the District of Columbia Official Code is amended by  
668 striking the phrase “designated “Inaugural Week.”” and inserting the phrase “designated  
669 “Inaugural Week”; except, that in 2017, January 14 through January 22 shall be designated  
670 “Inaugural Week.”” in its place.

671 **SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT**

672 Sec. 2021. Short title.

673 This subtitle may be cited as the “Reimbursable Detail Subsidy Program Amendment Act  
674 of 2016”.

675 Sec. 2022. Title 25 of the District of Columbia Official Code is amended as follows:

676 (a) Section 25-211(b)(3) is amended as follows:

677 (1) Designate the existing text as subparagraph (A).

678 (2) A new subparagraph (B) is added to read as follows:

679 “(B) For the purposes of this paragraph, the term “pub crawls” means an  
680 organized group of establishments within walking distance of one another that offer discounted  
681 alcoholic drinks during a specified time period.”.

682 (b) Section 25-798 is amended as follows:

683 (1) Subsection (a) is amended by adding a new paragraph (2A) to read as follows:

684 “(2A) “Pub crawl” means an organized group of establishments within walking  
685 distance of one another that offer discounted alcoholic drinks during a specified time period.”.

686 (2) Subsection (b) is amended by striking the phrase “or in a group,” and  
687 inserting the phrase “or in a group, or a pub crawl organizer” in its place.

688 **SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS**

689 Sec. 2031. Short title.

690 This subtitle may be cited as the "Walter Reed Development Omnibus Amendment Act  
691 of 2015".

692 Sec. 2032. Section 7(d) of the Walter Reed Development Omnibus Act of 2016, enacted  
693 on March 25, 2016 (D.C. Act 21-357; 63 DCR 4678), is amended to read as follows:

694 “(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
695 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy

696 Mayor for Planning and Economic Development shall have the authority to make grants from the  
697 Fund to the Developer for the purposes set forth in subsection (c) of this section.”.

698 **SUBTITLE E. DMPED GRANT-MAKING AUTHORITY AMENDMENT**

699 Sec. 2041. Short title.

700 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
701 Development Limited Grant-Making Authority Amendment Act of 2016”.

702 Sec. 2042. Section 2032 of the Deputy Mayor for Planning and Economic Development  
703 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;  
704 D.C. Official Code § 1-328.04), is amended as follows:

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

706 (1) Paragraph (1) is repealed.

707 (2) Paragraph (2) is repealed.

708 (b) New subsections (d) and (e) are added to read as follows:

709 “(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
710 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor shall  
711 have grant-making authority for the purpose of providing:

712 “(1) Funds as may be necessary to implement projects that are part of the New  
713 Communities Initiative, as that term is defined in section 3(b)(11)(B) of the Housing Production  
714 Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-  
715 2802(b)(11)(B)); provided, that such funds are included in the approved operating budget for the  
716 New Communities Initiative program or the approved capital budget for the New Communities  
717 Initiative project;

718                   “(2) Funds to the Washington Convention Center Marketing Fund established by  
719 section 208a of the Washington Convention Center Authority Act of 1994, effective September  
720 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08a), to supplement funds included in  
721 an approved budget for marketing-service contracts pursuant to sections 208a(e) or 208a(e-1) of  
722 that act; and

723                   “(3) Funds to the Washington DC Economic Partnership; provided, that such  
724 funds are included in an approved budget and designated for the Washington DC Economic  
725 Partnership.

726                   “(e) In addition to the grant-making authority provided in subsection (d)(3) of this  
727 section, the Deputy Mayor shall have the authority to transfer funds to Events DC pursuant to a  
728 Memorandum of Agreement or Memorandum of Understanding between the Deputy Mayor and  
729 Events DC.”.

730                   **SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT**

731                   Sec. 2051. Short title.

732                   This subtitle may be cited as the “Office of Cable Television, Film, Music, and  
733 Entertainment Clarification Amendment Act of 2016”.

734                   Sec. 2052. The Office of Cable Television, Film, Music, and Entertainment Amendment  
735 Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et*  
736 *seq.*), is amended as follows:

737                   (a) Section 201 (D.C. Official Code § 34-1252.01) is amended as follows:

738                   (1) Subsection (a)(3) is amended as follows:

739 (A) The lead-in language is amended by striking the phrase “an  
740 entertainment industry in the District” and inserting the phrase “a sustainable creative economy,  
741 entertainment, and media industry in the District” in its place.

742 (B) Subparagraph (E) is amended by striking the phrase “television  
743 shows and films” and inserting the phrase “entertainment industry projects” in its place.

744 (C) Subparagraph (F) is amended by striking the phrase “,  
745 television shows and films”.

746 (2) Subsection (e) is amended by striking the word “Programming” and inserting  
747 the phrase “Programming, or an equivalent position,” in its place.

748 (b) Section 202 (D.C. Official Code § 34-1252.02) is amended as follows:

749 (1) Paragraph (8A) is amended as follows:

750 (A) The lead-in text is amended by striking the phrase “studios and  
751 equipment” and inserting the phrase “studios, facilities, and equipment” in its place.

752 (B) Subparagraph (A) is amended by striking the phrase “studios  
753 or” and inserting the phrase “studios, facilities, or” in its place.

754 (2) Paragraph (16) is amended by striking the phrase “funds from nonprofit and”  
755 and inserting the phrase “funds from private, nonprofit, and” in its place.

756 (3) Paragraph (19) is amended by striking the word “and” at the end.

757 (4) Paragraph (20) is amended by striking the period and inserting the phrase “;  
758 and” in its place.

759 (5) A new paragraph (21) is added to read as follows:

760 “(21) Establish written formal, collaborative arrangements (sometimes called  
761 partnerships) with private and nonprofit entities to implement the purposes of this act.”.

762 (c) Section 203 (D.C. Official Code § 34-1252.03) is amended as follows:

763 (1) The heading is amended by striking the phrase “Cable Television” and  
764 inserting the phrase “OCTFME” in its place.

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

766 (A) Strike the phrase “Cable Television” both times it appears and insert  
767 the phrase “OCTFME”.

768 (B) Strike the phrase “operation of a cable system” and insert the phrase  
769 “operation of the industries under this act” in its place.

770 (3) Subsection (d) is amended as follows:

771 (A) Paragraph (3) is amended by striking the word “and” at the end.

772 (B) A new paragraphs (3A) is added to read as follows:

773 “(3A) Fees derived from film permits applied for or issued pursuant to section 2d  
774 of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111;  
775 D.C. Official Code § 2-1204.11d);

776 (C) Paragraph (4) is amended by striking the period and inserting  
777 the phrase “; and” in its place.

778 (D) A new paragraph (5) is added to read as follows:

779 “(5) All interest earned on all deposits.”.

780 Sec. 2053. Section 2e of the Film DC Economic Incentive Act of 2006, effective March  
781 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11e), is repealed.

782 **SUBTITLE G. DMPED PROCUREMENT EXEMPTION CLARIFICATION**

783 Sec. 2061. Short title.

784 This subtitle may be cited as the “DMPED Procurement Exemption Clarification  
785 Amendment Act of 2016”.

786 Sec. 2062. Section 201 of the National Capital Revitalization Corporation and Anacostia  
787 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-  
788 138; D.C. Official Code § 2-1225.11), is amended by adding a new subsection (b-1) to read as  
789 follows:

790 “(b-1) Any contract between the Deputy Mayor for Planning and Economic Development  
791 and a developer for the development of Square 3128 related to Zoning Commission Order No.  
792 Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections  
793 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
794 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*)”.

795 **SUBTITLE H. BUSINESS IMPROVEMENT DISTRICTS CHARTER RENEWAL**

796 Sec. 2071. Short title.

797 This subtitle may be cited as the “Business Improvement Districts Charter Renewal  
798 Amendment Act of 2016”.

799 Sec. 2072. The Business Improvement Districts Act of 1996, effective May 29, 1996  
800 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

801 (a) Section 19(a)(1)(B) (D.C. Official Code § 2-1215.18(a)(1)(B)), is amended by  
802 striking the phrase “The Board and membership approve a BID plan for the next 5 years of BID  
803 operations and submit that plan to the Mayor; and” and inserting the phrase “The BID submits a  
804 plan for the next 5 years of BID operations to the Mayor; and” in its place.

805 (b) Section 24(b) (43 DCR 1698) is repealed.

806           **SUBTITLE I. PREGNANT WORKERS PROTECTION**

807           Sec. 2081. Short title.

808           This subtitle may be cited as the “Protecting Pregnant Workers Fairness Amendment Act  
809 of 2016”.

810           Sec. 2082. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3,  
811 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

812           (a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

813                   (1) Subparagraph (F) is amended by striking the word “or”.

814                   (2) Subparagraph (G) is amended by striking the period and inserting the phrase “;  
815 or” in its place

816                   (3) A new subparagraph (H) is added to read as follows:

817                           “(H) Time off due to pre-birth complications.”.

818           (b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

819                   (1) Paragraph (4) is amended by striking the word “or” at the end.

820                   (2) Paragraph (5) is amended by striking the period and inserting the phrase “; or”  
821 in its place.

822                   (3) A new paragraph (6) is added to read as follows:

823                           “(6) Take an adverse action against an employee who has been absent from work  
824 as a result of a pregnancy related condition, including a pre-birth complication.”.

825           **SUBTITLE J. ACCRUED SICK AND SAFE LEAVE AMENDMENT**

826           Sec. 2091. Short title.

827           This subtitle may be cited as the “Accrued Sick and Safe Leave Amendment Act of  
828 2016”.

829           Sec. 2092. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.

830 Law 17-152; D.C. Official Code § 32-131.01 *et seq.*), is amended as follows:

831           (a) Section 6(b)(1) (D.C. Official Code §32-131.05(b)(1)) is amended by striking the  
832 phrase “(3); or” and inserting the phrase “(3); and” in its place.

833           (b) Section 7(b) (D.C. Official Code § 32-131.06(b)) is amended by striking the phrase  
834 “agreement.” and inserting the phrase “agreement that expressly waives the requirements in clear  
835 and unambiguous terms.” in its place.

836           **SUBTITLE K. ADULT CAREER PATHWAYS IMPLEMENTATION**

837           Sec. 2101. Short title.

838           This subtitle may be cited as the "Adult Career Pathways Implementation Amendment  
839 Act of 2016".

840           Sec. 2102. Section 14(d)(2)(D) of the District of Columbia Unemployment  
841 Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-  
842 114(d)(2)(D)), is amended by striking the phrase “Administrative Fund may be used” and  
843 inserting the phrase “Administrative Fund, or other sources of workforce development funding,  
844 may be used” in its place.

845           **SUBTITLE L. UNEMPLOYMENT BENEFITS MODERNIZATION**

846           Sec. 2111. Short title.

847           This subtitle may be cited as the “Unemployment Benefits Modernization Amendment  
848 Act of 2016”.

849           Sec. 2112. The District of Columbia Unemployment Compensation Act, approved  
850 August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

851           (a) Section 1(5) (D.C. Official Code § 51-101(5)) is amended as follows:

852 (1) Strike the figure “80%” and insert the figure “66%” in its place.

853 (2) Strike the figure “\$20” and insert the figure “\$50” in its place.

854 (b) Section 7 (D.C. Official Code § 51-107) is amended as follows:

855 (1) Subsection (a) is amended by striking the last sentence.

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

857 “(b)(1) An individual’s weekly benefit amount is equal to one twenty-sixth

858 (computed to the next higher multiple of \$1) of their total wages for insured work paid during the

859 quarter of their base period in which such total wages were highest, with such other following

860 limitations.

861 “(2) Effective October 1, 2016, the maximum weekly benefit amount shall

862 be \$425.

863 “(3)(A) Effective January 1, 2018, and for each calendar year thereafter,

864 the maximum weekly benefit amount shall be determined by the Director of the Department of

865 Employment Services by using the Department of Labor State Benefit Financing Model.

866 “(B) The Director shall consider the Consumer Price Index for Urban

867 Consumers in the Washington Metropolitan Statistical Area, published the United States

868 Department of Labor’s Bureau of Labor Statistics, in making a determination.

869 “(C) The recommended maximum weekly benefit amount shall not

870 worsen the condition of the District Unemployment Compensation Trust Fund.

871 “(D) The Director shall recommend the maximum weekly benefit amount

872 which shall become the maximum weekly benefit amount for the next calendar year, unless the

873 Council passes a resolution disapproving the Director’s recommendation within 45 days after its

874 receipt.

875                               “(E) If the Council passes a resolution of disapproval, the maximum  
876 weekly benefit amount then in effect shall continue in effect for the next calendar year.”.

877                               (3) Subsection (d) is amended by striking the phrase “or 50% of the wages for  
878 employment paid to such individual by employers during his base period whichever is the  
879 lesser”.

880                               (4) Subsection (e) is amended as follows:

881                                       (A) Strike the figure “80%” and insert the figure “66%” in its place.

882                                       (B) Strike the figure “\$20” and insert the figure “\$50” in its place.

883                               (5) Subsection (f) is amended by striking the phrase “this section shall not apply”  
884 and inserting the phrase “this subsection shall not apply” in its place.

885                               (c) Section 8 (D.C. Official Code § 51-108) is amended by striking the last sentence and  
886 inserting the following sentence in its place:

887                                       “All payments of benefits shall be made by the Chief Financial Officer and shall be  
888 subject to a post, but not a prior, audit by the Office of the Inspector General.”.

889                               **SUBTITLE M. TOPA APPLICATION-ASSISTANCE PILOT PROGRAM**

890                               Sec. 2121. Short title.

891                               This subtitle may be cited as the “TOPA Application-Assistance Pilot Program  
892 Amendment Act of 2016”.

893                               Sec. 2122. The Rental Housing Conversion and Sale Act of 1980, effective September  
894 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new  
895 section 414 to read as follows:

896                                       “Sec. 414. TOPA Application-Assistance Pilot Program.

897           “(a) For Fiscal Year 2017, there is established a TOPA Application-Assistance Pilot  
898 Program (“Program”) to help tenant organizations prepare their applications to the First Right  
899 Purchase Assistance Program described at Chapter 27 of Title 14 of the District of Columbia  
900 Municipal Regulations (14 DCMR § 2700 et seq.). The Program shall complement the First  
901 Right Purchase Assistance Program, and shall include funding for pre-application legal and  
902 technical assistance to help tenant organizations apply for the First Right Purchase Assistance  
903 Program.

904           “(b) A tenant organization shall be eligible for the Program if the tenant organization  
905 meets the eligibility requirements of 14 DCMR § 2701. A property shall be eligible for the  
906 Program if the property meets the eligibility requirements of 14 DCMR § 2703.

907           “(c) The Mayor shall ensure that the agency administering the Program:

908                   “(1) Approves or denies applications for the Program within 15 days of receiving  
909 completed applications from tenant organizations;

910                   “(2) Issues award letters or denies application for the First Right Purchase  
911 Assistance Program within 30 days of receiving completed applications from tenant  
912 organizations;

913                   “(3) Reimburses invoices received from tenant organizations for Program  
914 expenditures and First Right Purchase Assistance Program expenditures within 30 days of  
915 receipt; and

916                   “(4) Expeditiously administers the Program and the First Right Purchase  
917 Assistance Program in a manner that allows tenant organizations to meet all TOPA deadlines.

918           “(d) The maximum amount of pre-application legal and technical assistance that may be  
919 awarded to a tenant organization shall be \$20,000.

920           “(e) If a tenant organization, or the entity to which a tenant organization assigns its rights  
921 under this title, successfully purchases a property, the full amount of any assistance provided  
922 pursuant to this section shall be repaid to the Program within 30 days of the purchase of the  
923 property.

924           “(f) By November 1, 2016, the Mayor shall issue rules to implement the provisions of  
925 this section. The rules shall mandate processes for the application for, and distribution of, funds  
926 in a timely manner so as to facilitate successful compliance with the required timelines and  
927 purposes of this section.”.

928           Sec. 2123. Section 2009(c) of the Fiscal Year 2009 Budget Support Act of 2008,  
929 effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended  
930 as follows:

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

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

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

935           “(17) To provide funding for TOPA application assistance pursuant to section 414  
936 of the Rental Housing Conversion and Sale Act of 1980, passed on 2<sup>nd</sup> reading on June \_\_\_\_\_,  
937 2016 (Enrolled version of Bill 21-669); provided, that funding for TOPA application assistance  
938 shall not exceed the amount available in the Unified Fund.”.

939           Sec. 2124. This subtitle shall expire on September 30, 2017.

940           **SUBTITLE N. RETAIL PRIORITY AREA AMENDMENT**

941           Sec. 2131. Short title.

942           This subtitle may be cited as the “Retail Priority Area Amendment Act of 2016”.

943           Sec. 2132. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April  
944 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 et seq.), is amended as follows:

945           (a) Section 3(c)(3) (D.C. Official Code § 1-325.172(c)(3)) is amended to read as follows:

946                   “(3) Beginning October 1, 2015, and ending September 30, 2017, make grants to  
947 support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004,  
948 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may  
949 be awarded for revitalization programs within any of the Retail Priority Areas established by or  
950 pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law  
951 15-185; D.C. Official Code § 2-1217.73).

952           (b) Section 4 (D.C. Official Code § 1-325.173) is amended by adding a new subsection  
953 (d) to read as follows:

954                   “(d) Grants made available under this section shall be disbursed to grantees in quarterly  
955 allotments and each quarterly allotment shall be verified by grantees providing receipt showing  
956 the expenditure of allowable expenses before disbursement of a subsequent quarterly allotment.”.

957           Sec. 2133. Section 4b(b) of the Retail Incentive Act of 2004, effective December 24,  
958 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b(b)), is amended by adding a new  
959 paragraph (4) to read as follows:

960                   “(4) Grants made available under this section shall be disbursed to grantees in  
961 quarterly allotments and each quarterly allotment shall be verified by grantees providing receipt  
962 showing the expenditure of allowable expenses before disbursement of a subsequent quarterly  
963 allotment.”.

964           Sec. 2134. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004  
965 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

966 (a) Subsection (i) is amended by striking the word “Macomb” and inserting the word  
967 “Calvert” in its place.

968 (b) Subsection (n) is amended by striking the phrase “Tenley Circle” and inserting the  
969 phrase “R Street” in its place.

970 **SUBTITLE O. WORKFORCE INVESTMENT COUNCIL MEMBERSHIP**

971 Sec. 2141. Short title.

972 This subtitle may be cited as the “Workforce Investment Council Membership  
973 Clarification Act of 2016”.

974 Sec. 2142. Section 4(e) of the Workforce Investment Implementation Act of 2000,  
975 effective July 18, 2000 (D.C. Law 13-150, D.C. Official Code § 32-1603(e)), is amended to read  
976 as follows:

977 “(e) The Mayor shall appoint members of the Workforce Investment Council in a manner  
978 consistent with the requirements of section 101 of the Workforce Innovation and Opportunity  
979 Act, approved July 22, 2014 (128 Stat. 1440; 29 U.S.C. § 3111); provided, that the Workforce  
980 Investment Council shall include 2 members of the Council of the District of Columbia  
981 appointed by the Chairman of the Council of the District of Columbia.”.

982 **SUBTITLE P. ARTS AND HUMANITIES COMPETITIVE GRANTS**

983 Sec. 2151. Short title.

984 This subtitle may be cited as the “Commission on the Arts and Humanities Competitive  
985 Grants Act of 2016”.

986 Sec. 2152. In Fiscal Year 2017, the Commission on the Arts and Humanities shall award  
987 grants on a competitive basis the following grants to:

988 (1) Support the establishment of a children’s museum in the Central Business

989 District, as defined in Title 11 of the District of Columbia Municipal Regulations, in an amount  
990 not to exceed \$1 million;

991 (2) Provide a literary-enrichment program for District of Columbia Public Schools  
992 and public charter schools that includes the provision of copies of literature and curricular  
993 materials and author visits for literary discussion with students, in an amount not to exceed  
994 \$200,000;

995 (3) Provide orchestral performances with supporting community engagement  
996 events, in an amount not to exceed \$50,000;

997 (4) Provide support for a theatre in the Central Business District that is operated  
998 by a nonprofit organization, in an amount not to exceed \$1,000,000; and

999 (5) Provide support for an organization dedicated to preserving the history of  
1000 African-American involvement in the American Civil War, in an amount not to exceed  
1001 \$250,000.

1002 **SUBTITLE Q. WORKERS’ COMPENSATION LIEN RECONCILIATION**

1003 Sec. 2161. Short title.

1004 This subtitle may be cited as the “Workers’ Compensation Lien Reconciliation  
1005 Amendment Act of 2016”.

1006 Sec. 2162. Section 3(f-1) of the District of Columbia Workers’ Compensation Act of  
1007 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(f-1)), is amended by  
1008 striking the word “settlement” and inserting the word “total recovery” in its place.

1009 **SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**

1010 **MATCH**

1011 Sec. 2171. Short title.

1012           This subtitle may be cited as the “National Cherry Blossom Festival Fundraising Match  
1013 Act of 2016”.

1014           Sec. 2172. In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency,  
1015 \$250,000 shall be transferred to the Washington Convention and Sports Authority to administer a  
1016 matching grants program to support the National Cherry Blossom Festival. A matching grant of  
1017 up to \$250,000 shall be awarded to a nonprofit organization that organizes and produces an event  
1018 or events as part of the official, month-long National Cherry Blossom Festival dollar-for-dollar  
1019 for corporate donations above \$750,000 raised by the nonprofit for this purpose by March 31,  
1020 2017. Any matching grant awarded under this section shall be in addition to any other grants  
1021 awarded by the Washington Convention and Sports Authority in support of the National Cherry  
1022 Blossom Festival.

1023   **TITLE III. PUBLIC SAFETY AND JUSTICE**

1024           **SUBTITLE A. COG PROCUREMENT AUTHORIZATION**

1025           Sec. 3001. Short title.

1026           This subtitle may be cited as the “Placement of Orders with Governmental Entities  
1027 Amendment Act of 2016”.

1028           Sec. 3002. Section 1 of An Act To grant additional powers to the Commissioners of the  
1029 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.  
1030 Official Code § 1–301.01), is amended as follows:

1031           (a) Subsection (j-1)(1) is amended by striking the phrase “for materials” and inserting the  
1032 phrase “for the provision or receipt of materials” in its place.

1033           (b) A new subsection (j-2) is added to read as follows:

1034 “(j–2) Placement of orders with the Metropolitan Washington Council of Governments –  
1035 Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
1036 Law 18–371; D.C. Official Code § 2–351.01 *et seq.*), the Mayor may contract with the  
1037 Metropolitan Washington Council of Governments for the provision or receipt of materials,  
1038 supplies, equipment, work, or services of any kind. Contracts executed pursuant to this  
1039 subsection shall be considered obligations upon appropriations in the same manner as orders or  
1040 contracts executed pursuant to subsections (j) or (k) of this section.”.

1041 **SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID**

1042 **AMENDMENT**

1043 Sec. 3011. Short title.

1044 This subtitle may be cited as the “Reciprocal Agreements for Mutual Aid Amendment  
1045 Act of 2016”.

1046 Sec. 3012. An Act To provide for a mutual-aid plan for fire protection by and for the  
1047 District of Columbia and certain adjacent communities in Maryland and Virginia, and for other  
1048 purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414), is amended as  
1049 follows:

1050 (a) Section 1(a) (D.C. Official Code § 5-414(a)) is amended to read as follows:

1051 “(a) The Mayor is hereby authorized in his or her discretion to enter into and to renew  
1052 reciprocal agreements, for such period as he or she deems advisable, with the appropriate county,  
1053 municipal, and other governmental units in Prince George's and Montgomery Counties,  
1054 Maryland, and Arlington, Fairfax, and Loudon Counties, Virginia, with the City of Alexandria,  
1055 Virginia, with the City of Fairfax, Virginia, with the City of Falls Church, Virginia, and with  
1056 incorporated or unincorporated fire departments, fire companies, and organizations of fire

1057 personnel in such counties and cities, in order to establish and carry into effect a plan to provide  
1058 mutual aid, through the furnishing of firefighting personnel and equipment, by and for the  
1059 District of Columbia and such counties and cities, for the extinguishment of fires and for the  
1060 preservation of life and property in emergencies, in the District and in such counties and cities.”.

1061 (b) Section 2 (D.C. Official Code § 5-414(b)) is amended by striking the phrase “The  
1062 District of Columbia” and inserting the phrase “The Mayor” in its place.

1063 (c) Section 3 (D.C. Official Code § 5-414(c)) is amended to read as follows:

1064 “(c) The Mayor may make available to the federal government, the Washington  
1065 Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and  
1066 any other local or regional authority or intergovernmental organization, personnel and equipment  
1067 of the Fire and Emergency Medical Services Department to extinguish fires, and to save lives, on  
1068 property of the federal government, the Washington Metropolitan Area Transit Authority, the  
1069 Metropolitan Washington Council of Governments, or another local or regional authority of  
1070 which the District is a member or intergovernmental organization to which the District or any of  
1071 its offices or agencies belongs in Prince George's and Montgomery Counties, Maryland;  
1072 Arlington, Fairfax, and Loudon Counties, Virginia; the City of Alexandria, Virginia; the City of  
1073 Fairfax, Virginia; and the City of Falls Church, Virginia.”.

1074 (d) Section 4 (D.C. Official Code § 5-414(d)) is amended as follows:

1075 (1) Strike the phrase “Fire Department” wherever it appears and insert the phrase  
1076 “Fire and Emergency Medical Services Department” in its place.

1077 (2) Strike the word “his” and insert the phrase “his or her” in its place.

1078 **SUBTITLE C. PUBLIC SAFETY EXECUTIVE PAY SCHEDULE AMENDMENT**

1079 Sec. 3021. Short title.

1080 This subtitle may be cited as the “Executive Service Pay Schedule Amendment Act of  
1081 2016”.

1082 Sec. 3022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978,  
1083 effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as  
1084 follows:

1085 (a) Section 1052 (D.C. Official Code 1-610.52) is amended as follows:

1086 (1) Subsection (b) is amended as follows:

1087 (A) Paragraph (2) is amended to read as follows:

1088 “(2) Notwithstanding paragraph (1) of this subsection, the Council approves a  
1089 compensation level of \$292,520 for Kaya Henderson, as Chancellor of the District of Columbia  
1090 Public Schools (“Chancellor”).”.

1091 (B) Paragraph (2A) is repealed.

1092 (C) Paragraph (3) is amended as follows:

1093 (i) Designate the existing text as subparagraph (A).

1094 (ii) The newly designated subparagraph (A) is amended by  
1095 striking the phrase “levels of compensation as provided in paragraphs (2) and (2A)” and inserting  
1096 the phrase “level of compensation as provided in paragraph (2)” in its place.

1097 (iii) A new subparagraph (B) is added to read as follows:

1098 “(B)(i) Notwithstanding subparagraph (A) of this paragraph or any other  
1099 provision of law, the Chancellor may be paid a recognition and renewal bonus of 5% of her  
1100 annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for  
1101 goals achieved by the end of the 2016-17 school year.

1102                                   “(ii) In addition to such other benefits as the Chancellor may be  
1103 entitled to receive under existing law and regulation, and notwithstanding subparagraph (A) of  
1104 this paragraph and section 1058, the Mayor may make:

1105                                   “(I) A separation payment to the Chancellor of up to 24  
1106 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated for a reason other  
1107 than criminal conduct, gross dereliction of duty, or gross misconduct; and

1108                                   “(II) A payment to the Chancellor’s executors, legal  
1109 representatives, or administrators in the amount of 1/12 of the Chancellor’s annual salary if the  
1110 Chancellor dies during her term of employment.”.

1111                                   (D) Paragraph (4) is amended to read as follows:

1112                                   “(4) The existing level of compensation for the position in paragraph (2) of this  
1113 subsection shall not be used as the basis for determining the salary of an officeholder in the  
1114 position of Chancellor, who takes office after February 24, 2012. The Chancellor shall be  
1115 subject to compensation within the limits of the DX Schedule, except as provided by this act.”.

1116                                   (2) Subsection (b-1) is repealed.

1117                                   (b) Section 1052a (D.C. Official Code § 1-610.52a) is amended as follows:

1118                                   (1) Subsection (a) is amended by striking the phrase “who are required to hold a  
1119 medical degree or another advanced health-related degree”.

1120                                   (2) Subsection (b) is amended to read as follows:

1121                                   “(b)(1) The Mayor shall designate the appropriate pay level for each subordinate agency  
1122 head within the public safety cluster based on market analyses considering the qualifications and  
1123 work experience of each individual appointee, and other relevant criteria; provided, that the

1124 salary of a subordinate agency head within the public safety cluster shall not exceed the DX  
1125 Public Safety Schedule unless authorized by an act of the Council.

1126           “(2) Notwithstanding paragraph (1) of this subsection, the Council approves a  
1127 compensation level of \$253,817 for Cathy Lanier, as Chief of the Metropolitan Police  
1128 Department.

1129           “(3) The existing level of compensation for the position in paragraph (2) of this  
1130 subsection shall not be used as the basis for determining the salary of an officeholder in the  
1131 position of Chief of the Metropolitan Police Department, who takes office after February 24,  
1132 2012. The Chief of the Metropolitan Police Department shall be subject to compensation within  
1133 the limits of the DX Public Safety Schedule, except as provided by this act.”.

1134           Sec. 3023. Section 2903(b) of the Establishment of the Office of the Chief Medical  
1135 Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-  
1136 1402(b)), is amended by striking the phrase “, to be paid at an annual rate of \$206,000,”.

1137           **SUBTITLE D. ANATOMICAL BOARD REPEAL**

1138           Sec. 3031. Short title.

1139           This subtitle may be cited as the “Anatomical Board Repeal Amendment Act of 2016”.

1140           Sec. 3032. An Act For the promotion of anatomical science and to prevent the  
1141 desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C.  
1142 Official Code § 3-201 *et seq.*), is repealed.

1143           Sec. 3033. Section 6(h)(4)(C)(i) of the District of Columbia Funeral Services Regulatory  
1144 Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405(h)(4)(C)(i)), is  
1145 amended by striking the phrase “The Anatomical Board, human tissue banks, and anatomical  
1146 gifts;” and inserting the phrase “Human tissue banks and anatomical gifts;” in its place.

1147           **SUBTITLE E. FIRE OFFICIALS SERVICE LONGEVITY AMENDMENT**

1148           Sec. 3041. Short title.

1149           This subtitle may be cited as the “Fire and Emergency Medical Services Department  
1150 Chief Officers Service Longevity Amendment Act of 2016”.

1151           Sec. 3042. Section 401(a) of the District of Columbia Police and Firemen’s Salary Act of  
1152 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5–544.01(a)), is amended by  
1153 striking the phrase “contained in section 101, an amount computed in accordance with the  
1154 following table:” and inserting the phrase “contained in section 101, as modified pursuant to  
1155 section 506a, an amount computed in accordance with the following table; provided, that for  
1156 each Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief in active service,  
1157 longevity pay shall be calculated based on the Class and Service Step that the member occupies:”  
1158 in its place.

1159           **SUBTITLE F. FEMS PRESUMPTIVE DISABILITY IMPLEMENTATION**

1160           Sec. 3051. Short title.

1161           This subtitle may be cited as the “Fire and Emergency Medical Services Presumptive  
1162 Disability Implementation Amendment Act of 2016”.

1163           Sec. 3052. Subtitle D of the Fire and Police Medical Leave and Limited Duty  
1164 Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-651  
1165 *et seq.*), is amended as follows:

1166           (a) Section 651(7) (D.C. Official Code § 5-651(7)) is amended to read as follows:

1167           “(7) “Pre-employment physical examination” means the physical examination required  
1168 under section 721 of the Police and Fire Minimum Standards Amendment Act of 2004, effective  
1169 September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-451).”

1170 (b) Section 653 (D.C. Official Code § 5-653) is amended as followed:

1171 (1) Subsection (a)(1) is amended by striking the word “throat” and inserting the  
1172 word “respiratory” in its place.

1173 (2) Subsection (b)(1) is amended by striking the word “throat” and inserting the  
1174 word “respiratory” in its place.

1175 (c) New sections 655a, 655b, and 655c are added to read as follows:

1176 “Sec. 655a. Physical examinations; maintaining eligibility.

1177 “(a) In order to be eligible to make a claim under this title that relies on a presumption  
1178 under this subtitle, a member shall, in addition to meeting any other requirements as required by  
1179 this subtitle or rules issued pursuant to section 655c , have undergone a pre-employment physical  
1180 examination and complied with any subsequent physical examination requirements, such as  
1181 annual physical exams, that are, or were during the period of covered service, applicable to all  
1182 Department members.

1183 “(b) In order to be eligible to make a claim under this title that relies on a presumption  
1184 under this subtitle, an EMS employee shall, in addition to meeting any other requirements as  
1185 required by this subtitle or rules issued pursuant to section 655c , have undergone a pre-  
1186 employment physical examination and complied with any subsequent physical examination  
1187 requirements, such as annual physical exams, that are, or were during the period of covered  
1188 service, applicable to all Department EMS employees.

1189 “(c) For any member or EMS employee hired after May 1, 2013, the District may require  
1190 additional, appropriate laboratory and other diagnostic studies to be included as part of the pre-  
1191 employment physical examination; provided, that any additional requirements are applicable to  
1192 all members or EMS employees.

1193 “Sec. 655b. Reporting requirements.

1194 “Beginning on January 31, 2018, and by January 31 of each subsequent year, the  
1195 Department, in coordination with the Police and Fire Clinic, shall submit an annual report to the  
1196 Council that contains the following information from the preceding calendar year:

1197 “(1) The total number of claims made under section 652 by members;

1198 “(2) The total number of claims made under section 652 by EMS employees;

1199 “(3) The total number of claims made under section 653 by members;

1200 “(4) The total number of claims made under section 653 by EMS employees;

1201 “(5) The total number of claims made under section 654 by members; and

1202 “(6) The total number of claims made under section 654 by EMS employees.

1203 “Sec. 655c. Rules.

1204 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
1205 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
1206 rules to implement the provisions of this subtitle.”.

1207 (d) Section 656 is amended to read as follows:

1208 “Sec. 656. Applicability.

1209 “Sections 652 and 654 of this subtitle shall apply upon the inclusion of their fiscal effect  
1210 in an approved budget and financial plan, as certified by the Chief Financial Officer to the  
1211 Budget Director of the Council in a certification published by the Council in the District of  
1212 Columbia Register.”.

1213 **SUBTITLE G. FEMS APPARATUS MAINTENANCE**

1214 Sec. 3061. Short title.

1215 This subtitle may be cited as the “Fire and Emergency Medical Services Apparatus  
1216 Maintenance Requirements and Training Program Establishment Amendment Act of 2016”.

1217 Sec. 3062. Section 1 of An Act Making appropriations for the government of the District  
1218 of Columbia and other activities chargeable in whole or in part against the revenues of said  
1219 District for the fiscal year ending June 30, 1957, and for other purposes, approved June 29, 1956  
1220 (70 Stat. 443; D.C. Official Code § 5-413), is amended as follows:

1221 (a) The existing text is designated as paragraph (1).

1222 (b) The newly designated paragraph (1) is amended by striking the phrase “Fire  
1223 Department” and inserting the phrase “Fire and Emergency Medical Services Department  
1224 (“Department”)” in its place.

1225 (c) A new paragraph (2) is added to read as follows:

1226 “(2) The Department shall:

1227 “(A) Comply with the certification and preventative maintenance  
1228 requirements of the National Fire Protection Association, NFPA 1911, 2012 edition, or any  
1229 subsequent edition; and

1230 “(B) Maintain qualifications of the Fleet Maintenance staff through  
1231 organizational and manufacturing training in accordance with National Fire Protection  
1232 Association, NFPA 1071, 2016 edition, or any subsequent edition.”.

1233 Sec. 3063. The Police Officer and Firefighter Cadet Programs Funding Authorization  
1234 and Human Rights Act of 1977 Amendment Act of 1982, effective March 9, 1983 (D.C. Law 4-  
1235 172; codified in various sections of the District of Columbia Official Code), is amended as  
1236 follows:

1237 (a) A new section 5a is added to read as follows:

1238 “Sec. 5a. Emergency Vehicle Training Program.

1239 “(a) The Chief of the Fire and Emergency Medical Services Department shall  
1240 establish, in conjunction with the University of the District of Columbia Community College, a  
1241 Pilot Civilian Technical Services Program (“Program”) for the purpose of instructing, training,  
1242 and exposing interested persons, primarily residents of the District of Columbia, to the technical  
1243 maintenance of Department apparatus and devices, and the duties, tasks, and responsibilities of  
1244 serving as an employee in the Field Infrastructure and Inventory Management programs within  
1245 the Department.

1246 “(b) The Program shall include training courses that equip civilian employees with the  
1247 skills to provide emergency vehicle and facility maintenance, certification, and specialized  
1248 network management services to the Department.

1249 “(c) A person successfully completing the Program shall be accorded full preference for  
1250 appointment as a civilian employee of the Department provided the person meets all other  
1251 requirements pertaining to employment in the Department.

1252 “(d) The Chief shall establish performance measures for the program.”.

1253 (b) Section 6 (D.C. Official Code § 5-109.02) is amended by striking the phrase  
1254 “and section 2(b)-(d)” and inserting the phrase “, section 2(b)-(d), and section 5a” in its  
1255 place.

1256 **SUBTITLE H. EMS TRANSPORT CONTRACT AUTHORITY**

1257 Sec. 3071. Short title.

1258 This subtitle may be cited as the “Emergency Medical Services Transport Contract  
1259 Authority Amendment Act of 2016”.

1260           Sec. 3072. An Act To classify the officers and members of the fire department of the  
1261 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C.  
1262 Official Code § 5-401 *et seq.*), is amended as follows:

1263           (a) Section 1 (D.C. Official Code § 5-401) is amended as follows:

1264                   (1) Subsection (a) is amended by striking the word “resolution” and inserting the  
1265 word “act” in its place.

1266                   (2) Subsection (b) is amended as follows:

1267                           (A) Designate the existing text as paragraph (1).

1268                           (B) The newly designated paragraph (1) is amended by striking the word  
1269 “resolution” and inserting the word “act” in its place.

1270                           (C) New paragraphs (2) and (3) are added to read as follows:

1271                                   “(2) Notwithstanding paragraph (1) of this subsection, the Department may  
1272 contract with third parties to provide supplemental pre-hospital medical care and transportation to  
1273 persons requiring Basic Life Support.

1274                                   “(3) A contract entered into pursuant to paragraph (2) of this subsection shall  
1275 include a provision that precludes the District from liability for any claims arising out of the  
1276 actions of the third-party contractor and also provides full indemnification to ensure that the  
1277 District shall not be responsible for any amounts owed to others as a result of the third-party  
1278 contractor’s action or inaction under the contract.”.

1279                           (3) New subsections (d), (e), (f), (g), and (h) are added to read as follows:

1280                                   “(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of  
1281 this section shall provide a quarterly report to the Department and to the Council that includes  
1282 the following information:

- 1283                   “(1) The number of transports performed;
- 1284                   “(2) The average time between the dispatch of the third-party contractor by the  
1285 Department and the third-party contractor’s arrival to the patient;
- 1286                   “(3) The location where the third-party contractor meets each patient and the  
1287 name and location of the healthcare facility to which the patient is transported;
- 1288                   “(4) The average transport time from the location where the third-party contractor  
1289 meets each patient to the healthcare facility to which the patient is transported;
- 1290                   “(5) The average time that the third-party contractor remains out of service after  
1291 transporting a patient to a healthcare facility;
- 1292                   “(6) The average time that the third-party contractor remains out of service while  
1293 waiting to transfer the care of a patient to a healthcare facility;
- 1294                   “(7) The number of third-party contractor ambulances available on a daily basis  
1295 for Department use;
- 1296                   “(8) The length of the third-party contractor’s personnel shifts;
- 1297                   “(9) The number of employees hired by the third-party contractor and their  
1298 residency;
- 1299                   “(10) The number of patients who used the third-party contractor’s services twice  
1300 or more times during the reporting period, including the number of times the patient used the  
1301 services during the previous 12 months; and
- 1302                   “(11) The number of patient care reports collected, including the amount reviewed  
1303 with the Department.
- 1304                   “(e) By June 12, 2016, and quarterly thereafter, the Department shall submit a report to  
1305 the Council that includes the following information:

1306                   “(1) Activity by the Department to educate the public on the proper use of  
1307 emergency requests for service;

1308                   “(2) The number of Department employees hired after the contract award and  
1309 their residency;

1310                   “(3) An evaluation of pre-hospital medical care and transportation fees  
1311 considering the reasonableness of the fees, the public interest, and the persons required to pay the  
1312 fee;

1313                   “(4) The number of ambulances added to the Department’s frontline and reserve  
1314 fleet after the date of the contract award, including whether these ambulances are replacing or  
1315 supplementing the current fleet;

1316                   “(5) The number of emergency medical services personnel training hours  
1317 provided, including all pediatric training conducted pursuant to a memorandum of understanding  
1318 between the Department and the pediatric training entity;

1319                   “(6) The average time that the Department’s ambulances remained out of service  
1320 while waiting to transfer the care of a patient to a healthcare facility; and

1321                   “(7) The number of patients who used the Department’s transport service twice or  
1322 more during the reporting period, including the number of times the patient used transport  
1323 services during the previous 12 months.

1324                   “(f) By June 12, 2016, and quarterly thereafter, the Office of Unified Communications  
1325 shall submit a report to the Council that includes the following information:

1326                   “(1) The number of calls dispatched, and the average dispatch time;

1327                   “(2) The average time within which the Department and the third-party  
1328 contractor’s ambulances reported arriving at a healthcare facility with a patient and returning to  
1329 service;

1330                   “(3) The protocol to reroute non-emergency calls; and

1331                   “(4) The average time between the on-scene arrival of the third-party contractor’s  
1332 ambulance to the time the third-party contractor is at the patient’s side.

1333                   “(g) By February 12, 2017, and annually thereafter, until the Department is no longer  
1334 contracting with a third-party contractor pursuant to subsection (b)(2) of this section, the  
1335 Department shall submit a report to the Council that evaluates performance under the contract  
1336 and includes the following information:

1337                   “(1) The impact on the Department’s unit availability;

1338                   “(2) The impact on the Department’s fleet, including the ability to conduct  
1339 preventative maintenance and the number of operational and reserve units available;

1340                   “(3) The impact on the Department’s training schedule;

1341                   “(4) The impact on the Department’s response times and quality of patient care;

1342                   “(5) An assessment of the number of units, the number of personnel, the amount  
1343 of training, and associated costs required to provide pre-hospital medical care and transportation  
1344 without the use of third parties; and

1345                   “(6) Recommendations for implementing any additional units, personnel, and  
1346 training identified in paragraph (5) of this subsection.

1347                   “(h) For the purposes of this section, the term:

1348                   “(1) “Basic Life Support” means a level of medical care provided by pre-hospital  
1349 emergency medical services at the basic emergency response technician level and in accordance  
1350 with the national scope of practice for a basic level provider.

1351                   “(2) “Patient care report” means a paper or electronic document that details the  
1352 patient’s pre-hospital status and condition and medication administered by a member of the  
1353 Department or third-party contractor, from the time of the emergency call to the handover of the  
1354 patient to a healthcare facility.”.

1355                   (b) A new section 1b is added to read as follows:

1356                   “Sec. 1b. Public duty doctrine.

1357                   “The Council ratifies the interpretation and application of the public duty doctrine by the  
1358 District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen*  
1359 *v. District of Columbia*, No. 1 O-CV-1425, and extends the public duty doctrine to claims against  
1360 the District for the actions of contractors and their employees providing services under section 1  
1361 to the same extent as it applies to the District and its employees.”.

1362                   Sec. 3073. Applicability.

1363                   Section 3072(b)(3) through (c) shall expire on September 30, 2019..

1364                   **SUBTITLE I. COMMUNITY PARAMEDICINE TASK FORCE**

1365                   Sec. 3081. Short title.

1366                   This subtitle may be cited as the “Pilot Community Paramedicine Program Establishment  
1367 Act of 2016”.

1368                   Sec. 3082. An Act To classify the officers and members of the fire department of the  
1369 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official  
1370 Code § 5-401 *et seq.*), is amended by adding a new section 3b to read as follows:

1371 “Sec. 3b. Pilot Community Paramedicine Task Force.

1372 “(a) The Fire and Emergency Medical Services Department shall establish a Pilot  
1373 Community Paramedicine Task Force to study nationally recognized best practices and develop  
1374 recommendations regarding the need for, creation of, and implementation of a pilot community  
1375 paramedicine program designed to reduce call volume, improve EMS delivery, and provide for  
1376 collaboration between agencies, hospitals, and community-based organizations to deliver EMS  
1377 or facilitate patients with appropriate social services.

1378 “(b) The Task Force shall:

1379 “(1) Determine the usefulness of advice nurses, tele-medicine or tele-health  
1380 techniques;

1381 “(2) Create a plan for the District, in conjunction with nonprofits, to provide  
1382 additional EMS professionals, hospitals, and emergency health professionals to meet the needs  
1383 identified by the Task Force;

1384 “(3) Determine the cost of funding for a pilot community paramedicine program,  
1385 including consideration of federal grants;

1386 “(4) Determine how the Department’s members who are not firefighters will be  
1387 best utilized for EMS reform;

1388 “(5) Make recommendations as to how the pilot community paramedicine  
1389 program can best educate the community on medical conditions and resources;

1390 “(6) Make recommendations to reduce 911 call volume;

1391 “(7) Develop reporting requirements, performance measurements, or patient  
1392 surveys that should be used by a pilot community paramedicine program created by the Task  
1393 Force;

1394                   “(8) Determine the District agency best suited to manage and operate a pilot  
1395 community paramedicine program created by the Task Force;

1396                   “(9) Establish criteria that will enable the District to train and equip members of  
1397 the Department to provide pediatric care;

1398                   “(10) Determine how the Department can best partner with hospitals and the  
1399 Department of Health to link patients to social services, while considering the use of technology  
1400 and data sharing consistent with the Health Insurance Portability and Accountability Act of 1996,  
1401 approved August 21, 1996 (110 Stat. 1936; 42 U.S.C. § 1320d, *et seq.*) (“Act”), and the  
1402 regulations issued pursuant to the Act;

1403                   “(11) Make recommendations for the Department and the Department of  
1404 Behavioral Health with the goal of reducing chronic misuse of 911;

1405                   “(12) Determine whether a pilot community paramedicine program established  
1406 by the Task Force should be a self-sustaining independent entity that links hospitals, practice  
1407 pharmacies, community health centers, schools, behavioral health services, public health  
1408 services, nursing homes, and home health services; and

1409                   “(13) Determine whether the paramedicine pilot program or pilot program  
1410 created by the Task Force should employ case managers who are notified when a patient comes  
1411 in contact with social service or EMS providers.

1412                   “(c) The Task Force shall be comprised of the following:

1413                   “(1) One representative from a District-based college or university that provides  
1414 EMS services;

1415                   “(2) One representative from a governmental or agency-based EMS program;

1416                   “(3) Two representatives from organizations for which the primary purpose of the  
1417 organization is to provide services, education, or outreach to underserved populations with gaps  
1418 in EMS or health services;

1419                   “(4) Two representatives from the Emergency Medical Services Advisory  
1420 Committee, established by section 23 of the Emergency Medical Services Act of 2008, effective  
1421 March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22);

1422                   “(5) Two labor representatives, one from each labor organization affiliated with  
1423 the Department;

1424                   “(6) One representative from each hospital located in the District; and

1425                   “(7) Two medical doctors that practice in the District, one of which is a pediatric  
1426 doctor.

1427                   “(d)(1) By September 30, 2018, the Task Force shall submit a report to the Mayor and to  
1428 the Council that includes the results of the assessments, developments, and recommendations  
1429 completed pursuant to subsection (b) of this section.

1430                   “(2) The Task Force shall dissolve after transmitting its report under paragraph (1)  
1431 of this subsection.

1432                   “(e) For the purposes of this section, the term:

1433                   “(1) “Department” means the Fire and Emergency Medical Services Department.

1434                   “(2) “EMS” means emergency medical services.

1435                   “(3) “Pilot community paramedicine program” means a program focused on  
1436 providing emergency medical services in an out-of-hospital setting and designed to improve a  
1437 particular medical condition, provide episodic patient evaluation, offer advice, and administer  
1438 treatment within the scope of practice of the emergency medical services provider.

1439           “(4) “Practice pharmacies” means pharmacies that optimize health outcomes from  
1440 drug related treatments, research safe and effective drug use, and develop practices that  
1441 maximize patient benefit from medications.

1442           “(5) “Task Force” means the Pilot Community Paramedicine Task Force established  
1443 pursuant to this section.”.

1444           Sec. 3083. Section 3082 shall expire on September 30, 2018.

1445           **SUBTITLE. J. OAG LITIGATION SUPPORT FUND AND AUTHORITY**

1446           **CLARIFICATION**

1447           Sec. 3091. Short title.

1448           This subtitle may be cited as the “Office of the Attorney General Litigation Support Fund  
1449 and Authority Clarification Amendment Act of 2016”.

1450           Sec. 3092. The Attorney General for the District of Columbia Clarification and Elected  
1451 Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code  
1452 § 1-301.81 *et seq.*), is amended as follows:

1453           (a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)), is amended by striking the  
1454 phrase “\$1.5 million” both times it appears and inserting the phrase “\$3 million” in its place.

1455           (b) Section 108b (D.C. Official Code § 1-301.88b) is amended as follows:

1456                   (1) Designate the existing text as subsection (a).

1457                   (2) A new subsection (b) is added to read as follows:

1458                   “(b)(1) The Attorney General shall issue rules to govern the procurement of goods and  
1459 services for the Office of the Attorney General.

1460                   “(2) The rules promulgated pursuant to section 1106 of the Procurement Practices  
1461 Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06),

1462 shall apply to procurement of goods and services for the Office of the Attorney General unless  
1463 the Attorney General has issued a superseding rule or regulation.”.

1464 (c) A new section 112 is added to read as follows:

1465 “Sec. 112. Attorney General notification on enforcement of laws.

1466 “(a) An independent agency shall notify the Attorney General of any judicial or  
1467 administrative proceeding in which the independent agency is a named party when the judicial or  
1468 administrative proceeding includes a challenge to:

1469 “(1) The legality of a District or federal statute or regulation;

1470 “(2) The constitutionality of a final agency decision or any action taken by the  
1471 independent agency; or

1472 “(3) The statutory authority of the independent agency to act.

1473 “(b) An independent agency shall notify the Attorney General before commencing, or  
1474 filing a pleading seeking leave to participate as a party or *amicus curiae* in, a judicial or  
1475 administrative proceeding that includes a challenge as provided in subsection (a) of this section.

1476 “(c) An independent agency shall provide notice as required by this section as early as  
1477 practicable, but in no event later than:

1478 “(1) Seven business days after receiving notice of the judicial or administrative  
1479 proceeding; or

1480 “(2) If a challenge or potential challenge requiring notice under subsection (b) of  
1481 this section arises during the course of a judicial or administrative proceeding, 3 business days  
1482 after becoming aware of the challenge or potential challenge.

1483 “(d) For the purposes of this section, the term “independent agency” means any office,  
1484 department, division, board, commission, or instrumentality of the District of Columbia

1485 government with respect to which the Mayor and the Council are not authorized by law to  
1486 establish administrative procedures, and that is not represented by the Attorney General in a  
1487 judicial or administrative proceeding in which the office, department, division, board,  
1488 commission or instrumentality is participating as a named party or *amicus curiae*. The term  
1489 “independent agency” does not include the Council, the District of Columbia Superior Court, or  
1490 the Court of Appeals for the District of Columbia.

1491           Sec. 3093. Section 404 of the District of Columbia Government Comprehensive Merit  
1492 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
1493 604.04), is amended by adding a new subsection (a-1) to read as follows:

1494           “(a-1)(1) The Attorney General shall issue rules and regulations to implement the  
1495 provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX,  
1496 XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney  
1497 General.

1498           “(2) The rules and regulations promulgated pursuant to subsection (a) of this  
1499 section shall apply to employees under the jurisdiction of the Attorney General unless the  
1500 Attorney General has issued a superseding rule or regulation.”.

1501           Sec. 3094. Section 3(b) of the Prohibition on Government Employee Engagement in  
1502 Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code §  
1503 1-1171.02(b)), is amended as follows:

1504           (a) The lead-in language is amended by striking the word “Mayor” and inserting the  
1505 phrase “Mayor, the Attorney General,” in its place.

1506           (b) Paragraph (2) is amended to read as follows:

1507                   “(2) Any designation pursuant to this subsection shall be made in writing by the  
1508 Mayor and the Attorney General to the Secretary of the District of Columbia and by any member  
1509 of the Council to the Secretary to the Council;”.

1510                   (c) Paragraph (4) is amended by striking the word “Mayor” and inserting the phrase  
1511 “Mayor, the Attorney General,” in its place.

1512                   **SUBTITLE K. PUBLIC SAFETY TECHNICAL AMENDMENTS**

1513                   Sec. 3101. Short title.

1514                   This subtitle may be cited as the “Public Safety Technical Amendments Act of 2016”.

1515                   Sec. 3102. The Neighborhood Engagement Achieves Results Amendment Act of 2016,  
1516 enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659), is amended as follows:

1517                   (a) Section 102 (c) is amended to read as follows:

1518                   “(c) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE  
1519 shall provide a report to the Council that excludes personally identifying information and  
1520 includes the following information from the reporting period and in the aggregate:

1521                   “(1) The number of individuals successfully recruited and engaged;

1522                   “(2) The duration of individuals’ participation;

1523                   “(3) The status of participants’ progress; and

1524                   “(4) The participants’ age, race or ethnicity, gender, and ward of residence.”.

1525                   (b) Section 901(a) is amended to read as follows:

1526                   “(a) Sections 101, 102, 103, 104(b)(3), 105, and 204 shall apply upon the inclusion of  
1527 their fiscal effect in an approved budget and financial plan.”.

1528           Sec. 3103. Subsection 2213.1 of Chapter 22 of Title 18 of the District of Columbia  
1529 Municipal Regulations (18 DCMR § 2213.1) is amended by striking the phrase “front, sides, or  
1530 back of the vehicle” and inserting the phrase “front or sides of the vehicle” in its place.

1531           Sec. 3104. The Fair Criminal Record Screening Amendment Act of 2014, effective  
1532 December 17, 2014 (D.C. Law 20-152; D.C. Official Code § 32-1341 *et seq.*), is amended by  
1533 adding a new section 6a to read as follows:

1534           “Sec. 6a. Rules.

1535           “The Director of the Office of Human Rights, pursuant to Title I of the District of  
1536 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
1537 Official Code §2-501 *et seq.*), shall issue rules to implement the provisions of this act.”.

1538           **SUBTITLE L. CPR EMERGENCY MEDICAL APPLICATION**

1539           Sec. 3111. Short title.

1540           This subtitle may be cited as the “Cardiopulmonary Resuscitation Application  
1541 Establishment Act of 2016”.

1542           Sec. 3112. The Office of Unified Communications Establishment Act of 2004, effective  
1543 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended as  
1544 follows:

1545           (a) A new section 3205a is added to read as follows:

1546           “Sec. 3205a. Development of emergency medical application.

1547           “(a) The Office shall develop an emergency medical application to aid a trained user in  
1548 providing cardiopulmonary resuscitation to an individual reported to be exhibiting signs of  
1549 cardiac arrest while emergency medical service providers are dispatched to the individual’s  
1550 location. At a minimum, the emergency medical application shall:

1551                   “(1) Notify a trained user that he or she is within a certain distance from an  
1552 individual that is experiencing a cardiac arrest in a public location;

1553                   “(2) Notify a trained user of the nearest location of a publicly accessible  
1554 defibrillator;

1555                   “(3) Assist emergency medical service providers in monitoring patients or  
1556 relaying information to hospital emergency rooms; and

1557                   “(4) Allow a trained user to alert the Office if an individual is experiencing a  
1558 health emergency.

1559                   “(b) The Director shall ensure that staff are adequately trained to assist trained users in  
1560 the use of the emergency medical application.

1561                   “(c) Notwithstanding any other law, a trained user shall have the same protections as  
1562 provided in section 1 of An Act To relieve physicians of liability for negligent medical treatment  
1563 at the scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat.  
1564 1302; D.C. Official Code § 7-401), and shall not be subject to criminal or, in the absence of gross  
1565 negligence, civil liability for administering cardiopulmonary resuscitation or using an automated  
1566 external defibrillator pursuant to this subtitle:

1567                   “(1) In good faith to treat a person who he or she reasonably believes is  
1568 experiencing a cardiac arrest;

1569                   “(2) Outside of a hospital or medical office; and

1570                   “(3) Without the expectation of receiving or intending to seek compensation for  
1571 such service or acts.

1572                   “(d) For purposes of this section, the term:

1573                   “(1) “Emergency medical application” means a website or mobile platform where  
1574 trained users can interact with the Office during medical emergencies.

1575                   “(2) “Trained user” means a District resident or visitor using an emergency  
1576 medical application who has been trained by an organization recognized by the Department of  
1577 Health to provide cardiopulmonary resuscitation to a victim of a cardiac arrest.”.

1578                   **SUBTITLE M. ESTABLISHMENT OF CRIMINAL CODE REFORM**

1579                   **COMMISSION**

1580                   Sec. 3121. Short title.

1581                   This subtitle may be cited as the “Criminal Code Reform Commission Establishment Act  
1582 of 2016”.

1583                   Part 1. Establishment of Criminal Code Reform Commission

1584                   Sec. 3122. Establishment of the Criminal Code Reform Commission.

1585                   (a) The Criminal Code Reform Commission (“Commission”) is established as an  
1586 independent agency within the District of Columbia government, consistent with the meaning of  
1587 the term “independent agency” as provided in section 301(13) of the District of Columbia  
1588 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-  
1589 139; D.C. Official Code § 1-603.01(13)).

1590                   (b) The Commission shall be composed of the Executive Director and such staff as  
1591 necessary to complete the work of the Commission.

1592                   (c)(1) Except as provided in paragraph (2) of this subsection, the Executive Director  
1593 shall be appointed by the Chairman of the Council, subject to the approval of the majority of the  
1594 Council. The Executive Director shall serve for a term of 3 years, or until the Commission is

1595 dissolved pursuant to section 3127, and shall be paid a rate of compensation as may be  
1596 established from time to time by the Council.

1597 (2) Notwithstanding paragraph (1) of this subsection, as of the effective date of  
1598 this subtitle, the Criminal Code Revision Project Director of the District of Columbia Sentencing  
1599 and Criminal Code Revision Commission shall be the Executive Director of the Commission.

1600 (d) The Executive Director shall:

- 1601 (1) Be a member in good standing of the District of Columbia Bar;  
1602 (2) Be responsible for and oversee the daily operations of the Commission;  
1603 (3) Supervise Commission staff; and  
1604 (4) Develop and institute internal policies, procedures, and processes to ensure  
1605 efficient operations.

1606 (e)(1) Except as provided in paragraph (2) of this subsection, all employees of the  
1607 Commission shall be, or shall become within 180 days after hire, a resident of the District of  
1608 Columbia

1609 (2) Notwithstanding paragraph (1) of this subsection, the Executive Director as of  
1610 the effective date of this subtitle shall be exempt from the residency requirement in paragraph (1)  
1611 of this subsection.

1612 Sec. 3123. Recommendations for Comprehensive Criminal Code Reform.

1613 (a) By October 1, 2018, the Commission shall submit to the Mayor and the Council  
1614 comprehensive criminal code reform recommendations that revise the language of the District's  
1615 criminal statutes to:

- 1616 (1) Use clear and plain language;  
1617 (2) Apply consistent, clearly articulated definitions;

- 1618 (3) Describe all elements, including mental states, that must be proven;
- 1619 (4) Reduce unnecessary overlap and gaps between criminal offenses;
- 1620 (5) Eliminate archaic and unused offenses;
- 1621 (6) Adjust penalties, fines, and the gradation of offenses to provide for  
1622 proportionate penalties;
- 1623 (7) Organize existing criminal statutes in a logical order;
- 1624 (8) Identify any crimes defined in common law that should be codified, and  
1625 propose recommended language for codification, as appropriate;
- 1626 (9) Identify criminal statutes that have been held to be unconstitutional and  
1627 recommend their removal or amendment;
- 1628 (10) Propose such other amendments as the Commission believes are necessary;  
1629 and
- 1630 “(11) Enable the adoption of Title 22 as an enacted title of the District of  
1631 Columbia Official Code.
- 1632 (b) The comprehensive criminal code reform recommendations required by subsection  
1633 (a) of this section shall be in the form of a report that:
- 1634 (1) Includes draft legislation or other specific steps for implementing the  
1635 recommendations;
- 1636 (2) Includes charging, sentencing, and other relevant statistics regarding the  
1637 offenses affected by the recommendations; and
- 1638 (3) Explains how and why the recommendations change existing District law.
- 1639 (c) In preparing comprehensive criminal code reform recommendations as required by  
1640 subsection (a) of this section, the Commission shall:

1641 (1) Consult with the Code Revision Advisory Group established pursuant to  
1642 section 3124; and

1643 (2) Review criminal code reforms in other jurisdictions, recommend changes to  
1644 criminal offenses by the American Law Institute, and survey best practices recommended by  
1645 criminal law experts.

1646 (d) The Commission shall, upon request by the Council, provide a legal analysis of  
1647 proposed legislation concerning criminal offenses, including information on existing District  
1648 law, the laws of other jurisdictions, and model legislation.

1649 (e) The Commission may consult with other District of Columbia, federal, and state  
1650 agencies, conduct community outreach, perform trainings, and engage in other activities  
1651 regarding criminal code reform to advance the Commission’s statutory duties.

1652 (f) The Commission may request such information as may be necessary to fulfill its  
1653 statutory responsibilities. Each department, agency, instrumentality, or independent agency of  
1654 the District of Columbia is authorized and directed, to the extent permitted by law, to furnish the  
1655 Commission with such requested information.

1656 Sec. 3124. Code Revision Advisory Group.

1657 (a) The Commission shall establish a Code Revision Advisory Group (“Advisory  
1658 Group”) to review and provide information and suggestions on proposals prepared by the  
1659 Commission related to the comprehensive criminal code reform recommendations required by  
1660 section 3123. The Advisory Group shall consist of 5 voting members and 2 nonvoting members  
1661 as follows:

1662 (1) The voting members of the Advisory Group shall consist of the following:

1663 (A) The United States Attorney for the District of Columbia or his or her  
1664 designee;

1665 (B) The Director of the Public Defender Service for the District of  
1666 Columbia or his or her designee;

1667 (C) The Attorney General for the District of Columbia or his or her  
1668 designee; and

1669 (D) Two professionals from established organizations, including  
1670 institutions of higher education, devoted to the research and analysis of criminal justice issues,  
1671 appointed by the Council;

1672 (2) The non-voting members of the Commission shall consist of the following:

1673 (A) The Chairperson of the Council committee with jurisdiction over the  
1674 Commission or his or her designee; and

1675 (B) The Deputy Mayor for Public Safety and Justice or his or her  
1676 designee.

1677 (b) Meetings of the Advisory Group shall be conducted by the Commission's Executive  
1678 Director, with meetings scheduled by the Executive Director as necessary to fulfill the statutory  
1679 responsibilities of the Commission.

1680 (c) The Commission shall provide drafts of its recommended reforms to criminal statutes  
1681 to the Advisory Group in the form of reports. Advisory Group members may provide to the  
1682 Commission written comments in response to those recommendations within a reasonable period  
1683 of time, to be determined by the Executive Director, but not less than one month.

1684 (d) The Commission shall consider all written comments that are timely received from  
1685 Advisory Group members under subsection (a) of this section and propose all final  
1686 recommendations to the Council based on the comments received.

1687 (e) The voting members of the Advisory Group shall vote to approve the final  
1688 recommendations proposed by the Commission, with a majority of voting members necessary to  
1689 approve the recommendations, prior to their submittal to the Council and the Mayor under  
1690 section 3123(a).

1691 (f) The Commission shall compile and make publicly available a record of all written  
1692 comments received from Advisory Group members under subsection (a) of this section.

1693 Sec. 3125. Reporting requirements.

1694 (a) The Commission shall file quarterly reports with the Council that provide a summary  
1695 of activities during the prior quarter.

1696 (b) The Commission shall file an annual report with the Council before March 31 of each  
1697 year that includes:

1698 (1) A summary and copy of all recommendations for reforms to criminal statutes  
1699 developed by the Commission during the previous calendar year;

1700 (2) A summary and copy of comments received from the Advisory Group during  
1701 the previous calendar year and their disposition;

1702 (3) A summary of other Commission activities during the previous calendar year;

1703 (4) A description of any problems discovered with prior Commission work or  
1704 changes to prior work that are necessary due to legislative changes or court rulings;

1705 (5) A description of any issues that could delay or prevent the Commission from  
1706 timely fulfilling its statutory duties; and

1707 (6) A work plan and schedule, or revisions to an existing work plan and schedule,  
1708 for carrying out the responsibilities of the Commission to meet statutory requirements.

1709 Sec. 3126. Transition from District of Columbia Sentencing and Criminal Code Revision  
1710 Commission.

1711 (a) All functions, authority, programs, positions, personnel, property, records, and  
1712 unexpended balances of appropriations, allocations, and other funds available or to be made  
1713 available to the Criminal Code Revision Project previously established pursuant to section 2a of  
1714 the Advisory Commission on Sentencing Establishment Act of 1998, effective June 16, 2006  
1715 (D.C. Law 16-126; D.C. Official Code 3-101.01), are transferred to the Criminal Code Revision  
1716 Commission.

1717 (b) All rules, orders, obligations, determinations, grants, contracts, licenses, and  
1718 agreements of the Criminal Code Revision Project transferred to the Criminal Code Revision  
1719 Commission under subsection (a) of this section shall continue in effect according to their terms  
1720 until lawfully amended, repealed, or modified.

1721 Sec. 3127. Sunset.

1722 This part shall expire on October 1, 2018.

## 1723 Part 2. Conforming Amendments

1724 Sec. 3128. The Advisory Commission on Sentencing Establishment Act of 1998,  
1725 effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended  
1726 as follows:

1727 (a) Section 2 (D.C. Official Code § 3-101) is amended as follows:

1728 (1) The section heading is amended by striking the phrase “and Criminal Code  
1729 Revision”.

1730 (2) Subsection (a) is amended by striking the phrase “and Criminal Code  
1731 Revision”.

1732 (3) Subsection (b) is amended by striking the phrase “In addition to the duties  
1733 required under section 2a, the” and inserting the word “The” in its place.

1734 (b) Section 2a (D.C. Official Code § 3-101.01) is repealed.

1735 (c) Section 3 (D.C. Official Code § 3-102) is amended as follows:

1736 (1) Subsection (a) is amended by striking the number “15” and inserting the  
1737 number “12” in its place.

1738 (2) Paragraph (a)(1) is amended as follows:

1739 (A) Subparagraph (H) is amended by striking the semicolon and inserting  
1740 the phrase “; and” in its place.

1741 (B) Subparagraph (I) is amended by striking the phrase “; and” and  
1742 inserting a period in its place.

1743 (C) Subparagraph (J) is repealed.

1744 (d) Section 4 (D.C. Official Code § 3-103) is amended as follows:

1745 (1) Subsection (c) is amended by striking the number “8” and inserting the  
1746 number “7” in its place.

1747 Sec. 3129. Section 406(b) of the District of Columbia Government Comprehensive Merit  
1748 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
1749 604.06(b)), is amended as follows:

1750 (1) Paragraph (19) is amended to read as follows:

1751 “(19) For employees of the District of Columbia Sentencing Commission, the  
1752 personnel authority is the District of Columbia Sentencing Commission;”.

1753 (2) Paragraph (23) is amended by striking the phrase “; and” and inserting a  
1754 semicolon in its place.

1755 (3) Paragraph (24) is amended by striking the period and inserting the  
1756 phrase “; and” in its place.

1757 (4) A new paragraph (25) is added to read as follows:

1758 “(25) For employees of the Criminal Code Revision Commission, the personnel  
1759 authority is the Criminal Code Revision Commission.”.

1760 **SUBTITLE N. DOC INMATE AND RETURNING CITIZEN ASSISTANCE**

1761 Sec. 3131. Short title.

1762 This subtitle may be cited as the “DOC Inmate and Returning Citizen Assistance Act of  
1763 2016”.

1764 Sec. 3132. DOC inmate and returning citizen assistance grant.

1765 (a) In Fiscal Year 2017 and each fiscal year thereafter, of the annual funds available to  
1766 the Office of Justice Grants Administration (“Office”), no less than \$125,000 shall be awarded to  
1767 help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility  
1768 and recently released inmates.

1769 (b) The grants provided under subsection (a) of this section shall be awarded in their  
1770 entirety as early in the fiscal year as is feasible. The Office shall not provide the grant funds on a  
1771 reimbursement basis.

1772 **TITLE IV. PUBLIC EDUCATION**

1773 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**  
1774 **SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

1775 Sec. 4001. Short title.

1776 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
1777 Amendment Act of 2016”.

1778 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
1779 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
1780 38-2901 *et seq.*), is amended as follows:

1781 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase  
1782 “\$9,492 per student for fiscal year 2015” and inserting the phrase “\$9,682 per student for Fiscal  
1783 Year 2017” in its place.

1784 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
1785 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2017
“Pre-Kindergarten 3	1.34	\$12,974
“Pre-Kindergarten 4	1.30	\$12,587
“Kindergarten	1.30	\$12,587
“Grades 1-5	1.00	\$9,682
“Grades 6-8	1.08	\$10,457
“Grades 9-12	1.22	\$11,812
“Alternative program	1.44	\$13,942
“Special education school	1.17	\$11,328
“Adult	0.89	\$8,617

1786  
1787 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

1788 “(c) The supplemental allocations shall be calculated by applying weightings to the  
1789 foundation level as follows:

1790 “Special Education Add-ons:

1791

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
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“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,392
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,618
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$19,074
“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	\$33,790
“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	\$668
“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	\$862
“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	\$16,169

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“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“ELL	Additional funding for English Language Learners.	0.49	\$4,744
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,120

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1797

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“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	\$3,563
“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	\$12,945
“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	\$27,991

“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	2.891	\$27,991
“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	\$6,468

1798

1799

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

1800

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

1801

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$610
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,198

“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$4,754
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who ESY services in their IEPs	0.491	\$4,754

1802 .”.

1803 (d) Section 115 (D.C. Official Code § 38-2913) is amended as follows:

1804 (1) Strike the phrase “Fiscal Year 2017” and insert the phrase “Fiscal Year 2020”  
 1805 in its place.

1806 (2) Strike the word “equal” and insert the word “equitable” in its place.

1807 **SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY**

1808 **AMENDMENT**

1809 Sec. 4011. Short title.

1810 This subtitle may be cited as the “DCPS Contracting and Spending Flexibility  
 1811 Amendment Act of 2016”.

1812 Sec. 4012. Reallocation and use of District of Columbia Public Schools funds.

1813 (a) Pursuant to rules promulgated by the Chief Financial Officer, each school in the  
 1814 District of Columbia Public Schools (“DCPS”) may reallocate funds between object classes  
 1815 within a school’s non-personal services object category in the aggregate not-to-exceed amount of  
 1816 \$10,000 within each fiscal year.

1817 (b) DCPS is authorized to spend appropriated funds to pay for DCPS-sponsored student  
1818 travel, including the cost of transportation, lodging, meals, and admission fees for students and  
1819 adult chaperones, to locations and venues outside DCPS facilities in accordance with rules  
1820 promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public  
1821 Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C.  
1822 Official Code § 38-174(c)(5)), provided that, such travel is related to students’ curriculum or is  
1823 for the purpose of rewarding student curricular or extra-curricular achievement.

1824 (c) For the purposes of this section, the terms “object category” and “object class” shall  
1825 have the same meanings as provided in D.C. Official Code § 47-361(9) and (10), respectively.

1826 Sec. 4013. Section 105(c)(5) of the District of Columbia Public Education Reform  
1827 Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-  
1828 174(c)(5)), is amended by striking the semicolon at the end and inserting the phrase “, including  
1829 rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel,  
1830 including the cost of transportation, lodging, meals, and admission fees for students and adult  
1831 chaperones, to locations and venues outside DCPS facilities; provided that, such travel is related  
1832 to students’ curriculum or is for the purpose of rewarding student curricular or extra-curricular  
1833 achievement;” in its place.

1834 **SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES**

1835 Sec. 4021. Short title.

1836 This subtitle may be cited as the “Classroom Animal for Educational Purposes  
1837 Amendment Act of 2016”.

1838           Sec. 4022. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979  
1839 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to  
1840 read as follows:

1841           “(6) Paragraph (1) of this subsection shall not apply to educational institutions  
1842 that possess animals for educational and instructional purposes and that otherwise comply with  
1843 humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal  
1844 Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C.  
1845 Official Code § 8-1851.02), and permitting requirements promulgated by the Mayor.”.

1846           **SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS**

1847           Sec. 4031. Short title.

1848           This subtitle may be cited as the “Healthy Tots Amendment Act of 2016”.

1849           Sec. 4032. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155;  
1850 D.C. Official Code § 38-281 *et seq.*), is amended as follows:

1851           (a) Section 4073(c)(1)(B) (D.C. Official Code § 38-282(c)(1)(B)) is amended as follows:

1852           (1) Strike the word “breakfast” wherever it appears and insert the word “meals” in  
1853 its place.

1854           (2) Strike the phrase “to receive free or reduced meals” and insert the phrase “for  
1855 subsidized child care” in its place.

1856           (b) Section 4073a (D.C. Official Code § 38-282.01) is amended as follows:

1857           (1) Subsection (a) is amended by striking the phrase “to participate in the CACF  
1858 Program, the facility shall participate in the program” and inserting the phrase “for subsidized  
1859 child care, the facility shall participate in the CACF Program” in its place.

1860                   (2) Subsection (c) is amended by striking the phrase “September 30, 2016” and  
1861 inserting the phrase “September 30, 2017” in its place.

1862                   **SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM**

1863                   Sec. 4041. Short title.

1864                   This subtitle may be cited as the “National External Diploma Program Amendment Act  
1865 of 2016”.

1866                   Sec. 4042. Section 7b of the State Education Office Establishment Act of 2000, effective  
1867 June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2608), is amended by adding a new  
1868 subsection (g) to read as follows:

1869                   “(g) OSSE shall deem valid all diplomas awarded to residents who completed the  
1870 requirements of the National External Diploma Program from January 1, 1980 through February  
1871 5, 2016, in the District of Columbia.”.

1872                   **SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY**

1873                   Sec. 4051. Short title.

1874                   This subtitle may be cited as the “Foster Care Extended Eligibility Amendment Act of  
1875 2016”.

1876                   Sec. 4052. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999  
1877 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

1878                   (a) Paragraph (4) is amended by striking the phrase "services; and" and inserting the  
1879 phrase "services;" in its place.

1880                   (b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase  
1881 “child;” in its place.

1882                   (c) New paragraphs (6), (7), and (8) are added to read as follows:

1883                   “(6) Children of a teen parent under 21 years of age who is either in foster care or  
1884 a ward of the District and is either working or enrolled in a verified job training or education  
1885 program;

1886                   “(7) Children in foster care placement when the foster care provider is not  
1887 working but receives some form of verifiable income, such as social security or disability, and  
1888 the child care services are in the best interest of the child; and

1889                   “(8) Children in foster care placement when the foster care provider is not  
1890 working but enrolled in a verified job training or education program, and the child care services  
1891 are in the best interest of the child.”.

1892                   **SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT**

1893                   **ADJUSTMENT**

1894                   Sec. 4061. Short title.

1895                   This subtitle may be cited as the "Public Charter School Advance Payment Adjustment  
1896 Amendment Act of 2016".

1897                   Sec. 4062. Section 107b(b) of the Uniform Per Student Funding Formula for Public  
1898 Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348;  
1899 D.C. Official Code § 38-2906.02(b)), is amended as follows:

1900                   (a) Paragraph (1) is amended by striking the phrase “and shall be 30% of the school’s  
1901 entitlement” and inserting the phrase “and shall be 35% of an existing school's entitlement, and  
1902 45% of the entitlement for a newly chartered school in its first school year of operation" in its  
1903 place.

1904                   (b) Paragraph (2) is amended by striking the phrase “and shall be equal to 55% of the  
1905 school’s entitlement less amounts paid in July” and inserting the phrase “and shall be equal to

1906 60% of an existing school's entitlement and 70% of the entitlement for a newly chartered school  
1907 in its first school year of operation, less amounts paid in July" in its place.

1908 (c) Paragraph (3) is amended by striking the phrase “and shall be equal to 80% of the  
1909 school’s entitlement less amounts paid in July and October” and inserting the phrase “and shall  
1910 be equal to 80% of an existing school's entitlement and 85% of the entitlement for a newly  
1911 chartered school in its first school year of operation, less amounts paid in July and October" in its  
1912 place.

1913 **SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING**  
1914 **AND COMMON LOTTERY BOARD AMENDMENT**

1915 Sec. 4071. Short title.

1916 This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising  
1917 and Common Lottery Board Amendment Act of 2016".

1918 Sec. 4072. Section 4122 of the My School DC EdFest Sponsorship and Advertising Act  
1919 of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

1920 (a) Subsection (f) is amended by striking the phrase "December 31" and inserting the  
1921 phrase "April 30" in its place.

1922 (b) A new subsection (g) is added to read as follows:

1923 “(g)"The Chief Financial Officer shall deposit all cash proceeds received from  
1924 advertisements and sponsorships pursuant to this section into the Common Lottery Board Fund  
1925 established pursuant to section 206 of the Department of Education Establishment Act of 2007,  
1926 effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195).".

1927           Sec. 4073. Section 206 of the Department of Education Establishment Act of 2007,  
1928 effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195), is amended as  
1929 follows:

1930           (a) Subsection (b) is amended as follows:

1931                   (1) Paragraph (3) is amended by striking the phrase “; and” and inserting a  
1932 semicolon in its place.

1933                   (2) Paragraph (4) is amended by striking the period at the end and inserting the  
1934 phrase “; and” in its place.

1935                   (3) A new paragraph (5) is added to read as follows:

1936                   “(5) Cash proceeds for DC EdFest deposited pursuant to section 4122(g) of the  
1937 My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015  
1938 (D.C. Law 21-36; 62 DCR 10905).”.

1939           (b) Subsection (c) is amended to read as follows:

1940                   “(c) (1) Except as provided in paragraph (2) of this subsection, money in the Fund shall  
1941 be used for the continued development and improvement of the common lottery system.

1942                   “(2) Cash proceeds deposited pursuant to section 4122(g) of the My School DC  
1943 EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36;  
1944 62 DCR 10905), shall first be used to fund My School DC EdFest. Any excess funds shall be  
1945 used in accordance with paragraph (1) of this subsection.”.

1946           **SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT**

1947           **PERIOD AMENDMENT**

1948           Sec. 4081. Short title.

1949           This subtitle may be cited as the “School Immunization Requirements Enforcement  
1950 Period Amendment Act of 2016”.

1951           Sec. 4082. Section 6 of the Immunization of School Students Act of 1979, effective  
1952 September 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-505), is amended by striking the  
1953 phrase “ten (10) days” wherever it appears and inserting the phrase “20 school days” in its place.

1954           **SUBTITLE J. PUBLIC CHARTER SCHOOL AT-RISK AND LIMITED**  
1955 **ENGLISH PROFICIENT PAYMENT AMENDMENT**

1956           Sec. 4091. Short title.

1957           This subtitle may be cited as the “Public Charter At-Risk and Limited English Proficient  
1958 Payment Amendment Act of 2016”.

1959           Sec. 4092. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
1960 and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C.  
1961 Official Code § 38-2906.02), is amended as follows:

1962           (a) Subsection (d)(1) is amended as follows:

1963                   (1) Designate the existing text as subparagraph (A).

1964                   (2) The newly designated subparagraph (A) is amended to read as follows:

1965                           “(A) Payments for special education, limited English proficient students,  
1966 at-risk students, and other add-on components of the Funding Formula shall be included in the  
1967 quarterly payments to public charter schools.”.

1968                   (3) New subparagraphs (B) and (C) are added to read as follows:

1969                           “(B) Payments shall reflect one-quarter of the annual per student amount  
1970 for each add-on; provided, that add-ons for special education students shall be added on a pro-

1971 rata basis from the date on which a public charter school begins to provide add-on services for  
1972 such students, as set forth in subsection (g)(1) of this section.

1973                               “(C) Charter schools shall receive the full annual per pupil payment for  
1974 at-risk or limited English proficient students who are enrolled by October 5, but who are not  
1975 designated as at-risk or limited English proficient students until after October 5.”.

1976               (b) Subsection (g) is amended to read as follows:

1977               “(g)(1) Charter schools may receive payment on a pro-rata basis from the date on which  
1978 the school begins providing special education services to students enrolled by October 5, who are  
1979 identified as requiring an individualized education program (“IEP”) or as needing an increased  
1980 IEP after October 5.

1981                               “(2) Upon application to and at the discretion of the Chief Financial Officer, the  
1982 supplemental payments for the special education students available pursuant to paragraph (1) of  
1983 this subsection shall be disbursed in addition to the quarterly payments made pursuant to  
1984 subsection (a) of this section.”.

1985                               **SUBTITLE K. HIGHER EDUCATION LICENSURE COMMISSION**

1986                               **CLARIFICATION**

1987               Sec. 4101. Short title.

1988  
1989               This subtitle may be cited as the “Higher Education Licensure Commission Clarification  
1990 Amendment Act of 2016”.

1991               Sec. 4102. The Education Licensure Commission Act of 1976, effective April 6, 1977  
1992 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

1993               (a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

1994 (1) Paragraph (4)(C) is amended by striking the phrase “through agents offers”  
1995 and inserting the phrase “through agents or an online presence offers” in its place.

1996 (2) A new paragraph (17) is added to read as follows:

1997 “(17) “Reciprocity agreement” means an agreement joined by the District of  
1998 Columbia with other member states, districts, or U.S. territories that establishes national  
1999 standards for interstate offering of postsecondary distance education courses and programs.”.

2000 (b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the  
2001 phrase “45-day” both times it appears and inserting the phrase “14-day” in its place.

2002 (c) Section 7 (D.C. Official Code § 38-1307) is amended to read as follows:

2003 “Sec. 7. Higher Education Licensure Commission — Functions.

2004 “In addition to those duties specified in other sections of this act, the Commission shall:

2005 “(1) Advise the Mayor and the Council with respect to the postsecondary  
2006 educational needs of the District of Columbia;

2007 “(2) File with the Mayor and the Council quarterly reports relating to:

2008 “(A) The educational institutions granted or denied licenses under this act  
2009 during the reporting period; and

2010 “(B) Other matters that come under the Commission's purview;

2011 “(3) Receive, and cause to be maintained, copies of student academic records in  
2012 conformity with the following provisions:

2013 “(A) In the event an educational institution operating in the District, or any  
2014 educational institution licensed under this act operating outside of the District, proposes to  
2015 discontinue its operation and has no other repository for its records, the chief administrative  
2016 officer, by whatever title designated, of the institution shall cause to be filed with the

2017 Commission the original or legible true copies of all records of the institution specified by the  
2018 Commission. The records shall include, at a minimum, the academic records of each former  
2019 student;

2020                               “(B) The Commission shall maintain and dispose of the records in  
2021 accordance with the provisions of the District of Columbia Public Records Management Act of  
2022 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*).

2023 Academic records shall be maintained for at least 50 years from the date the student attended the  
2024 institution;

2025                               “(C) The Commission is authorized to charge an institution for all costs  
2026 involved in the transfer of records;

2027                               “(4)(A) In the event it appears to the Commission that the records of an institution  
2028 discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise  
2029 made unavailable to the Commission, the Commission may apply to the Superior Court of the  
2030 District of Columbia for an order authorizing the Commission to seize and take possession of the  
2031 records;

2032                               “(B) Any chief officer or member of a governing board of an institution  
2033 who willfully fails to comply with the provisions of this subsection or willfully aids and abets  
2034 any person in a scheme to avoid the requirements of this subsection may be held personally  
2035 liable for all costs and damages resulting from the conduct, in addition to other penalties  
2036 provided by this act.

2037                               “(5) Have the authority to enter into reciprocity agreements with other  
2038 jurisdictions that relate to the authorization of postsecondary educational institutions that provide  
2039 degree-granting or non-degree-granting online instruction to residents of the District; and

2040                   “(6) Have the authority to enter into agreements with degree-granting educational  
2041 institutions operating in the District of Columbia that are otherwise conditionally exempt  
2042 pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate  
2043 distance education delivery of higher education.”.

2044                   (d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

2045                   (1) Subsection (a-1) is repealed.

2046                   (2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

2047                   “(3) Paragraph (1) of this subsection shall not apply to a postsecondary  
2048 educational institution that provides degree-granting or non-degree-granting online instruction to  
2049 residents of the District through an online presence and that is authorized to operate in the  
2050 District pursuant to a reciprocity agreement.”.

2051                   (e) A new section 9a is added to read as follows:

2052                   “Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

2053                   “(a) A postsecondary educational institution may provide degree-granting or non-degree-  
2054 granting online instruction to residents of the District through an online presence.

2055                   “(b) An educational institution that provides degree-granting or non-degree-granting  
2056 online instruction to residents of the District through an online presence shall be deemed to be  
2057 operating in the District, and shall either be:

2058                   “(1) Licensed by the Commission in accordance with this act; or

2059                   “(2) Authorized to operate in the District pursuant to a reciprocity agreement.”.

2060                   **SUBTITLE L. TRAFFIC CONTROL INVESTIGATIONS FOR NEW SCHOOLS**

2061                   **AMENDMENT**

2062                   Sec. 4111. Short title.

2063 This subtitle may be cited as the “Traffic Control Investigation for New Schools  
2064 Amendment Act of 2016”.

2065 Sec. 4112. Section 2 of the School Proximity Traffic Calming Act of 2000, effective May  
2066 23, 2000 (D.C. Law 13-111, D.C. Official Code § 38-3101), is amended to read as follows:

2067 (a) Subsection (a) is amended by striking the word “Mayor” and inserting the phrase  
2068 “District Department of Transportation (“DDOT”)” in its place.

2069 (b) A new subsection (a-1) is added to read as follows:

2070 “(a-1)(1) Beginning July 31, 2016, the DDOT shall complete the investigation required in  
2071 subsection (a) of this section for a new school no later than 60 days after the first day on which  
2072 students begin classes at the school.

2073 “(2) The District of Columbia Public Schools and the Public School Charter  
2074 Board shall notify the DDOT of a new school no later than 90 days before the first day on which  
2075 students will begin classes at the school.

2076 “(3) For the purposes of this subsection, the term “new school” means:

2077 “(A) A school located in a never-before-occupied structure, except for a  
2078 structure erected in an existing school zone; or

2079 “(B) A school located in a preexisting structure that has not been used as a  
2080 District of Columbia public school or public charter school within the last 5 years.”.

2081 (c) Subsections (b), (c), (d), and (e)(2) are amended by striking the word “Mayor”  
2082 wherever it appears and inserting the word “DDOT” in its place.

2083 (d) A new subsection (d-1) is added to read as follows:

2084 “(d-1) A public charter school shall coordinate with the Metropolitan Police Department  
2085 to provide the DDOT with the information in subsection (c)(1) and (2) of this section within 15  
2086 days from the date of the request.”.

2087 (e) Subsection (f) is amended by striking the phrase “District Department of  
2088 Transportation” and inserting the word “DDOT” in its place.

2089 (f) Subsection (f-1) is amended to read as follows:

2090 “(f-1) The DDOT shall provide, by July 31st of each year, recommendations to the  
2091 Mayor, the Council, the Chancellor of the District of Columbia Public Schools, the Public  
2092 Charter School Board, and the Chief of the Metropolitan Police Department on the deployment  
2093 of school crossing guards, taking into account the impact of school closings and  
2094 reconfigurations, projected enrollment, traffic conditions, investigations conducted pursuant to  
2095 subsections (a) and (a-1) of this section, and all other relevant factors.”.

2096 **SUBTITLE M. EXCESS SCHOOL FACILITIES EXISTING TENANT**  
2097 **PREFERENCE**

2098 Sec. 4121. Short title.

2099 This subtitle may be cited as the “Excess School Facilities Existing Tenant Preference  
2100 Amendment Act of 2016”.

2101 Sec. 4122. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,  
2102 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by  
2103 adding a new subparagraph (B-i) to read as follows:

2104 “(B-i) *Existing tenants.* -- For the purposes of this paragraph, an existing  
2105 tenant of an excess school facility, other than an eligible entity, shall be deemed to be an eligible

2106 entity and given the same preference as an eligible entity under subparagraph (A)(ii)(II) of this  
2107 paragraph if:

2108                               “(i) The existing tenant is a nonprofit elementary or secondary  
2109 school incorporated in the District or a community-based, nonprofit arts education organization  
2110 incorporated in the District, whose programming includes youth classes; and

2111                               “(ii) The existing tenant has continuously occupied all or  
2112 substantially all of the excess school facility or property since December 30, 2008.”.

2113                   **SUBTITLE N. EDUCATION OMBUDSMAN AND OFFICE OF THE STUDENT**

2114                   **ADVOCATE AMENDMENT**

2115                   Sec. 4131. Short title.

2116                   This subtitle may be cited as the “Education Ombudsman and Office of the Student  
2117 Advocate Amendment Act of 2016”.

2118                   Sec. 4132. Section 604(a)(15) of the Public Education Reform Amendment Act of 2007,  
2119 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-353(15)), is amended as  
2120 follows:

2121                   (a) The lead-in language is amended by striking the number “90” and inserting the  
2122 number “120” in its place.

2123                   (b) Subparagraph (D) is repealed.

2124                   (c) Subparagraph (E) is amended by striking the semicolon at the end and inserting the  
2125 phrase “; and” in its place.

2126                   (d) Subparagraph (F) is amended by striking the semicolon at the end and inserting the  
2127 phrase “; and” in its place.

2128                   (e) Subparagraph (G) is repealed.

2129           Sec. 4133. Section 204 of the Parent and Student Empowerment Amendment Act of  
2130 2013, effective February 22, 2014 (D.C. Law 20-76; D.C. Official Code § 38-373), is amended  
2131 as follows:

2132           (a) Paragraph (6) is amended by striking the phrase “s student’s” and inserting the phrase  
2133 “a student’s” in its place.

2134           (b) Paragraph (9) is amended as follows:

2135                 (1) The lead-in language is amended by striking the number “90” and inserting  
2136 the number “120” in its place.

2137                 (2) Subparagraph (C) is amended by striking the word “and” at the end.

2138                 (3) New subparagraphs (E), (F), and (G) are added to read as follows:

2139                         “(E) Students represented through formal or administrative proceedings;

2140                         “(F) Information sessions held and trainings conducted by ward;

2141                         “(G) Complaints, concerns, or other inquiries referred to District agencies,  
2142 including the name of the agency, office, or organization to which the referral was made; and”.

2143           **SUBTITLE O. EDUCATION REPORTING REQUIREMENTS**

2144           Sec. 4141. Short title.

2145           This subtitle may be cited as the “Education Reporting Requirements Act of 2016”.

2146           Sec. 4142. Office of the State Superintendent of Education reporting requirements.

2147           (a) By June 15, 2016, the Office of the State Superintendent of Education (“OSSE”) shall  
2148 submit to the Council a report on the establishment of the Uniform Per Student Funding Formula  
2149 (“UPSFF”) Working Group pursuant to section 112(c) of the Uniform Per Student Funding  
2150 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999

2151 (D.C. Law 12-207; D.C. Official Code § 38-2911(c)), including a list of members and proposed  
2152 meeting dates.

2153 (b) By August 15, 2016, and every 2 months thereafter through December 15, 2016, the  
2154 OSSE shall submit to the Council a report on the status of work conducted by the UPSFF  
2155 Working Group in the preceding 2 months, including meeting minutes.

2156 (c)(1) By October 1, 2016, and quarterly thereafter through September 30, 2017, the  
2157 OSSE shall submit to the Council a report on a comprehensive plan and efforts to implement by  
2158 July 1, 2018, the expansion of the IDEA Part C and the Strong Start: DC Early Intervention  
2159 Program included in section 7h of the State Education Office Establishment Act of 2000,  
2160 effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614).

2161 (2) The reports shall include the following:

2162 (A) A timeline for implementation;

2163 (B) The OSSE’s projected capacity needs to accomplish implementation,  
2164 with supporting data;

2165 (C) A description of barriers to implementation;

2166 (D) Benchmark goals; and

2167 (E) Steps OSSE intends to take to:

2168 (i) Accomplish needed program enhancements for implementation,  
2169 including, enhancements to service provider capacity, recruiting and retention strategies, and  
2170 strategies for differentiated models of service for children with 25% to 50% delay in one  
2171 developmental area; and

2172 (ii) Work with the Department of Healthcare Finance to develop a  
2173 Medicaid carve-out whereby a portion of money is set aside for early intervention programs  
2174 through which OSSE can recoup costs.

2175 Sec. 4143. Public Charter School Board reporting requirements.

2176 By October 1, 2016, the Public Charter School Board shall submit to the Council a report  
2177 on the distribution of at-risk funds to each local education agency (“LEA”) it oversees for  
2178 students in pre-k through grade 12 for school year 2016-2017. The report shall include, at a  
2179 minimum, the projected allocation of at-risk funds to each LEA and a breakdown of the intended  
2180 use of the funds, including a description of the programs, initiatives, and the enrichment  
2181 activities it is being used to support.

2182 Sec. 4144. Deputy Mayor for Education reporting requirements.

2183 By October 1, 2016, the Deputy Mayor for Education shall report to the Council on the  
2184 following:

2185 (1) An update on the Deputy Mayor’s convened Cross Sector Collaboration Task  
2186 Force’s work in Fiscal Year 2016, and the most recent list of recommendations for the Mayor  
2187 and the Council;

2188 (2) The need for transportation subsidies and assistance for adult learners who are  
2189 22 years of age and older and enrolled in publicly funded adult education programs or in  
2190 University of the District of Columbia Workforce Development and Lifelong Learning  
2191 programs. This report shall include:

2192 (A) An assessment of what subsidies are currently available to this  
2193 population through government assistance programs, the usage rates of these resources, and  
2194 whether local or federal money is used to pay for them;

2195 (B) An assessment of the unmet need for transportation subsidies among  
2196 adult learners, and the impact of increased transportation costs on attendance and enrollment in  
2197 adult education programs;

2198 (C) Recommendations on:

2199 (i) Ways to better leverage and connect qualifying adult learners  
2200 and transportation providers to existing resources, and the best ways to ensure that federal money  
2201 is utilized wherever possible; and

2202 (ii) Ways that the government, District of Columbia Public  
2203 Schools, public charter schools, and the University of the District of Columbia can provide  
2204 broader access to subsidized transportation opportunities; and

2205 (D) The cost associated with recommendations for delivering  
2206 transportation assistance, and an assessment of new federal and local funding streams that may  
2207 be accessed to provide these services; and

2208 (3) A proposed plan for schools where students are suffering from safe passage  
2209 issues of bullying, violence, or other impediments to getting to and from school and  
2210 recommendations for best practices for improved safe passage policies that schools can adopt.

2211 Sec. 4145. District of Columbia Public Schools reporting requirements.

2212 By October 1, 2016, the District of Columbia Public Schools shall submit to the Council  
2213 a report on Student Activity Funds. The report shall include the following:

2214 (1) Information on each existing Student Activity Fund within the control of the  
2215 District of Columbia Public Schools, including the health of the fund and the date of its last  
2216 audit;

2217 (2) The policies and procedures governing Student Activity Funds, including  
2218 requirements on deposits and any restrictions on items that can be purchased with Student  
2219 Activity Fund monies; and

2220 (3) A description of the training provided to school-based staff on use of Student  
2221 Activity Funds.

2222 **SUBTITLE P. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2223 **FUNDRAISING MATCH**

2224 Sec. 4151. Short title.

2225 This subtitle may be cited as the “University of the District of Columbia Fundraising  
2226 Match Amendment Act of 2016”.

2227 Sec. 4152. (a) In Fiscal Year 2017, of the funds allocated to the Non-Departmental  
2228 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the  
2229 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by March 1,  
2230 2017.

2231 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, two-  
2232 thirds of the funds shall be deposited into UDC’s endowment fund.

2233 **TITLE V. HEALTH AND HUMAN SERVICES**

2234 **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

2235 **AMENDMENT**

2236 Sec. 5001. Short title.

2237 This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit  
2238 Exemption and POWER Expansion Amendment Act of 2016”.

2239           Sec. 5002. Section 552(c-3) of the District of Columbia Public Assistance Act of 1982,  
2240 effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(c-3)), is amended as  
2241 follows:

2242           (a) A new paragraph (3A) is added to read as follows:

2243                   “(3A) For Fiscal Year 2017, the level of assistance payment shall be equal to the  
2244 Fiscal Year 2016 amount.”.

2245           (b) Paragraph (4) is amended by striking the phrase “Fiscal Year 2017” and inserting the  
2246 phrase “Fiscal Year 2018” in its place.

2247           **SUBTITLE B. DHCF AND DDS MEDICAL ASSISTANCE PROGRAM**  
2248 **AMENDMENTS**

2249           Sec. 5011. Short title.

2250           This subtitle may be cited as the “Department of Healthcare Finance and Department of  
2251 Disability Services Medical Assistance Program Amendment Act of 2016”.

2252           Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal  
2253 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
2254 and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-  
2255 307.02(a)), is amended by adding a new paragraph (10) to read as follows:

2256                   “(10) Review and approval by the Council of the Fiscal Year 2017 Budget and  
2257 Financial Plan shall constitute the Council review and approval required by paragraph (2) of this  
2258 subsection of any amendment, modification, or waiver of the state plan required to:

2259                           “(A) Implement needed amendments to:

2260                                   “(i) The Intermediate Care Facilities for Individuals with  
2261 Developmental Disabilities reimbursement methodology;

2262 “(ii) The payment methodology for hospital services;  
2263 “(iii) The payment methodology for nursing homes;  
2264 “(iv) The payment methodology for the Disproportionate Share  
2265 Hospital program;  
2266 “(v) The health homes program;  
2267 “(vi) Renew and update the Elderly and Individuals with Physical  
2268 Disabilities waiver program and make conforming changes to the state plan; and  
2269 “(vii) The payment methodology for prescription drugs; and  
2270 “(B) Increase the number of participants in the Home and Community-  
2271 Based Services Waiver for Persons with Intellectual and Developmental Disabilities program.”.

2272 **SUBTITLE C. CONTRIBUTION TO COST OF SUPPORTS FUND**

2273 Sec. 5021. Short title.

2274 This subtitle may be cited as the “Contribution to Cost of Supports Fund Amendment Act  
2275 of 2016”.

2276 Sec. 5022. The Developmental Disabilities Service Management Reform Amendment  
2277 Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et*  
2278 *seq.*), is amended as follows:

2279 (a) Section 102 (D.C. Official Code § 7-761.02) is amended by adding a new paragraph  
2280 (2A) to read as follows:

2281 “(2A) “Contribution to costs of supports” means full or partial payment by  
2282 persons with intellectual disabilities or their estate for the locally funded supports and services  
2283 provided by the Developmental Disabilities Administration.”.

2284 (b) New sections 105b and 105c are added to read as follows:

2285 “Sec. 105b. Contribution to cost of supports.

2286 “(a) DDS shall collect the contribution to cost of supports from persons with intellectual  
2287 disabilities who are:

2288 “(1) Medicaid Program-eligible but not eligible for the maximum Supplement  
2289 Security Income or Social Security Disability Insurance payments; or

2290 “(2) Not Medicaid Program-eligible but otherwise have been found  
2291 eligible to receive services from the Developmental Disabilities Administration.

2292 “(b) DDS shall collect the contribution to costs of supports under subsection (a) of this  
2293 section only to the extent that DDS uses local dollars to fund the costs of occupancy, including  
2294 rent, other personal expenses, including food, clothing, and medical costs, supplies, furnishings  
2295 and equipment, and support services.

2296 “Sec. 105c. Contribution to Costs of Support Fund.

2297 “(a) There is established as a special fund the Contribution to Cost of Supports Fund  
2298 (‘Fund’), which shall be administered by DDS in accordance with subsection (c) of this section.

2299 “(b) The Fund shall consist of contributions to costs of support collected by DDS from  
2300 persons with intellectual disabilities pursuant to section 105b.

2301 “(c) The Fund shall be used by DDS to pay the cost of residential and other supports to  
2302 persons with intellectual disabilities consistent with federal and local law and regulations.

2303 “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2304 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2305 year, or at any other time.

2306 “(2) Subject to authorization in an approved budget and financial plan, any funds  
2307 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2308 (c) Section 109 (D.C. Official Code § 7-761.09) is amended by adding a new subsection

2309 (c) to read as follows:

2310 “(c) Within 45 days after the effective date of the Contribution to Costs of Supports Fund  
2311 Amendment Act of 2016 (“Act”), as approved by the Committee of the Whole on May 17, 2016  
2312 (Committee print of Bill 21-669), the Mayor, pursuant to Title I of the District of Columbia  
2313 Administrative Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-  
2314 501 *et seq.*), shall issue rules to implement the provisions of the Act, including rules establishing  
2315 who has the ability to pay the contribution to costs of supports, the amount to be collected, the  
2316 method and timing of payments to DDS for such purposes, and due process protections. The  
2317 proposed rules shall be submitted to the Council for a 45-day period of review, excluding  
2318 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve  
2319 or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day period of  
2320 review, the proposed rules shall be deemed approved.”.

2321 **SUBTITLE D. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL**  
2322 **DISABILITIES RENT INCREASE RELIEF**

2323 Sec. 5031. Short title.

2324 This subtitle may be cited as the “Persons with Intellectual and Developmental  
2325 Disabilities Rent Increase Relief Amendment Act of 2016”.

2326 Sec. 5032. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10;  
2327 D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

2328 (a) Section 103 (D.C. Official Code § 42-3501.03) is amended by adding a new  
2329 paragraph (13A) to read as follows:

2330                   “(13A) “Home and community-based services waiver provider” means an entity  
2331 that provides residential habilitation or supported living services under the Medicaid Home and  
2332 Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities  
2333 program authorized by section 1915(c) of the Social Security Act, approved August 13, 1981 (95  
2334 Stat. 809; 42 U.S.C. § 1396n).”.

2335                   (b) Section 205(a)(1) (D.C. Official Code § 42-3502.05(a)(1)) is amended by striking the  
2336 phrase “subchapter III;” and inserting the phrase “Subchapter III, or any unit rented by a home  
2337 and community-based services waiver provider and occupied by a tenant with a disability  
2338 without regard to income but otherwise as defined in section 206(f), or co-leased by a home and  
2339 community-based services waiver provider and occupied by a tenant with a disability without  
2340 regard to income but otherwise as defined in section 206(f);” in its place.

2341                   (c) Section 208(h)(2) (D.C. Official Code § 42-3502.08(h)(2)) is amended by striking the  
2342 phrase “elderly or disabled tenant” and inserting the phrase “elderly or disabled tenant, including  
2343 a unit leased or co-leased by a home and community-based services waiver provider,” in its  
2344 place.

2345                   **SUBTITLE E. COMMISSION ON HEALTH EQUITY**

2346                   Sec. 5041. Short title.

2347                   This subtitle may be cited as the “Commission on Health Equity Amendment Act of  
2348 2016”.

2349                   Sec. 5042. The Commission on Health Disparities Establishment Act of 2014, effective  
2350 March 10, 2015 (D.C. Law 20-192; D.C. Official Code § 7-755.01 *et seq.*), is repealed.

2351                   Sec. 5043. Establishment of the Commission on Health Equity.

2352 (a) There is established a Commission on Health Equity ("Commission") to prepare,  
2353 through the Department of Health's Office on Violence Prevention and Health Equity,  
2354 comprehensive recommendations to the Department of Health, the Council, and the Mayor that  
2355 examine and address health inequities across the District and differing opportunities for  
2356 healthcare by demographic subpopulations and geographic areas, including in each election ward  
2357 of the District.

2358 (b) The Commission shall have 9 voting members, who shall be appointed as follows:

2359 (1)(A) Six voting members shall be appointed by the Mayor with the advice and  
2360 consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978,  
2361 effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

2362 (B) The Mayor's initial 6 appointments shall include 3 members appointed  
2363 to 3-year terms and 3 members appointed to 2-year terms. All subsequent appointments by the  
2364 Mayor shall be for 3-year terms.

2365 (2)(A) Three voting members shall be appointed by the Council.

2366 (B) The Council's initial 3 appointments shall be for 1-year terms. All  
2367 subsequent appointments by the Council shall be for 3-year terms.

2368 (3) Each voting member shall have expertise in at least one of the following areas:

2369 (A) Health equity, social determinants, and health disparities;

2370 (B) Social and human services and vulnerable populations;

2371 (C) Early learning and education;

2372 (D) Minority communities and population health outcomes and  
2373 improvement;

2374 (E) Economic and community development; and

2375 (F) Ecology and the natural and built environment.

2376 (4) The Mayor shall appoint the Chairperson of the Commission from among its  
2377 voting members.

2378 (c)(l) The Commission shall include the following nonvoting advisory members:

2379 (A) The Chairperson of the Committee on Health and Human Services,  
2380 who shall serve as an ex-officio member;

2381 (B) Three community advisory members, one each from Wards 5, 7, and  
2382 8, appointed by the Council;

2383 (C) One patient organization representative, appointed by the voting  
2384 members of the Commission; and

2385 (D) The presidents or chief executive officers of 2 District hospitals and a  
2386 representative from an insurance company who have access to health outcomes databases, or  
2387 their designees.

2388 (2) For the purposes of this subsection, the term "patient organization  
2389 representative" means an individual who works for a national or local healthcare or health  
2390 promotion organization.

2391 (d) All vacancies on the Commission shall be filled in the same manner in which the  
2392 initial appointment is made.

2393 (e) All members of the Commission shall be appointed within one year after the effective  
2394 date of this subtitle.

2395 Sec. 5044. Commission duties and functions.

2396 (a) The Commission shall advise the Department of Health's Office of Violence  
2397 Prevention and Health Equity on:

2398 (1) The development of a baseline assessment of health equity across the District,  
2399 and differing opportunities for health by demographic subpopulations and geographic areas,  
2400 including in each election ward of the District;

2401 (2) The application of innovative data collection and dissemination strategies to  
2402 augment the use of evidence-based methods and tools and practices within a community-based  
2403 participatory research framework; and

2404 (3) Strengthening collaborative partnerships with communities impacted by health  
2405 inequities to identify and promote health equity strategies.

2406 (b) The Commission shall:

2407 (1) Gather information from public hearings, inquires, and studies to understand  
2408 how the District government may work to eliminate health disparities;

2409 (2) Seek federal grants, if available; and

2410 (3) Submit a formal city action plan by March 1st of each year to the Department  
2411 of Health, the Mayor, and the Council.

2412 (c) The formal city action plan required by subsection (b)(3) of this section shall be a  
2413 public document and shall include, at a minimum:

2414 (1) A report of the Commission's findings regarding:

2415 (A) Health equity across the District and differing opportunities for  
2416 healthcare by demographic subpopulations and geographic areas, including in each election ward  
2417 of the District;

2418 (B) The identification of health indicators studied that highlight the

2419 election ward and populations or neighborhoods most affected, and possible steps that can be  
2420 taken by the District government to remedy these issues, and expected outcomes that will result  
2421 from taking the recommended steps; and

2422 (2) Draft legislation, regulations, amendments to statutes or regulations, or any  
2423 other specific steps for implementing the recommendations described in paragraph (1) of this  
2424 subsection.

2425 Sec. 5045. Commission procedure and powers.

2426 (a) The Commission shall meet at least once a quarter to share findings regarding the  
2427 prevalence and severity of health disparities that exist in each election ward.

2428 (b) The Chairperson of the Commission, or his or her designee, who must be a member of  
2429 the Commission, shall convene all Commission meetings.

2430 (c) A majority of the voting members appointed to the Commission at any given time  
2431 shall constitute a quorum for the transaction of official business. Official actions of the  
2432 Commission shall be taken by a majority vote of the voting members present at the meeting.

2433 (d) The Commission may use space and supplies owned or rented by the District  
2434 government and use staff loaned from the Council or detailed by the Mayor for purposes  
2435 consistent with this act as the Commission may determine.

2436 Sec. 5046. Section 2(f)(53) of the of the Confirmation Act of 1978, effective March 3,  
2437 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(53)), is amended to read as follows:

2438 “(53) The Commission on Health Equity.”.

2439 **SUBTITLE F. TEEN PREGNANCY PREVENTION FUND AMENDMENT**

2440 Sec. 5051. Short title.

2441 This subtitle may be cited as the “Teen Pregnancy Prevention Fund Amendment Act of  
2442 2016”.

2443 Sec. 5052. The Teen Pregnancy Prevention Fund Establishment Act of 2014, effective  
2444 February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.321 et seq.), is amended as  
2445 follows:

2446 (a) Section 5142(2) (D.C. Official Code § 1-325.321(2)) is amended by striking the  
2447 phrase “the DC Campaign for Teen Pregnancy, as authorized by section 5146” and inserting the  
2448 phrase “, for Fiscal Year 2017, the Department of Health, as authorized by section 5146” in its  
2449 place.

2450 (b) Section 5143 (D.C. Official Code § 1-325.322) is amended as follows:

2451 (1) Subsections (b), (c), and (d) are amended to read as follows:

2452 “(b) Grants from the Fund shall be awarded by the Department of Health to nonprofit  
2453 organizations for the purpose of implementing the following types of programs consistent with  
2454 an evidence-based, community-wide teen pregnancy prevention model:

2455 “(1) Health services for teens;

2456 “(2) Reproductive health education;

2457 “(3) Professional development and training;

2458 “(4) Research and policy development related to teen pregnancy; and

2459 “(5) Public education and awareness on teen pregnancy.

2460 “(c) Grants from the Fund shall be awarded, subject to the availability of funding, as  
2461 follows:

2462 “(1) All grants shall be awarded on a competitive basis;

2463 “(2) The grant funds shall be used exclusively to serve District of Columbia

2464 residents; and

2465 “(3) All grants shall be subject to District transparency requirements, such as

2466 Freedom of Information Act requests.

2467 “(d) The Fund shall be administered pursuant to the requirements set forth in the Grant

2468 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code

2469 § 1-328.11 et seq.).”.

2470 (2) Subsection (e) is repealed.

2471 (c) Section 5144 (D.C. Official Code § 1-325.323) is amended as follows:

2472 (1) Strike the word “subgrant” wherever it appears and insert the word “grant” in  
2473 its place.

2474 (2) Strike the word “subgrantee” wherever it appears and insert the word  
2475 “grantee” in its place.

2476 (d) Section 5145 (D.C. Official Code § 1-325.324) is amended as follows:

2477 (1) Strike the phrase “December 1, 2014” and insert the phrase “December 1,  
2478 2017” in its place.

2479 (2) Strike the word “bimonthly” and insert the word “semiannual” in its place.

2480 (3) Strike the word “subgrantee” wherever it appears and insert the word  
2481 “grantee” in its place.

2482 (4) Strike the word “subgrant” wherever it appears and insert the word “grant” in  
2483 its place.

2484 (e) Section 5146 (D.C. Official Code § 1-325.325) is amended to read as follows:

2485 “Sec. 5146. Authorization for grant-managing entity.

2486 “For Fiscal Year 2017, the Department of Health is designated as the grant-managing  
2487 entity.”.

2488 Section 5147 (D.C. Official Code § 1-325.326) is amended to read as follows:

2489 “Sec. 5147. Limitation on duplicative projects.

2490 “The grant-managing entity shall take steps to avoid awarding grants to a nonprofit that  
2491 has been awarded or is being awarded funds from another District agency for the same or similar  
2492 program purposes for which it is applying for funding from the Fund.”.

2493 **SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**  
2494 **PAYMENT**

2495 Sec. 5061. Short title.

2496 This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment  
2497 Act of 2016".

2498 Sec. 5062. Definitions.

2499 For the purposes of this subtitle, the term:

2500 (1) “Department” means the Department of Health Care Finance.

2501 (2) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the  
2502 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
2503 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but  
2504 excludes any hospital operated by the federal government.

2505 (3) “Hospital system” means any group of hospitals licensed separately, but  
2506 operated, owned, or maintained by a common entity.

2507 (4) “Medicaid” means the medical assistance programs authorized by Title XIX  
2508 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.), and

2509 by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance  
2510 under title XIX of the Social Security Act for a medical assistance program, and for other  
2511 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and  
2512 administered by the Department.

2513 (5) “Outpatient gross patient revenue” means the amount calculated in accordance  
2514 with generally accepted accounting principles for hospitals that is reported as the sum of Lines  
2515 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost  
2516 Report (Form CMS 2552-10), filed for the period ending between October 1, 2013, and  
2517 September 30, 2014.

2518 Sec. 5063. Hospital Provider Fee Fund.

2519 (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which  
2520 shall be administered by the Department in accordance with subsections (c) and (d) of this  
2521 section.

2522 (b) Revenue from the following sources shall be deposited in the Fund:

2523 (1) Fees collected under this subtitle; and

2524 (2) Interest and penalties collected under this subtitle.

2525 (c) Money in the Fund may only be used for the following purposes:

2526 (1) Making Medicaid outpatient hospital access payments to hospitals as required  
2527 under section 5076;

2528 (2) Payment of administrative expenses incurred by the Department or its agent in  
2529 performing the activities authorized by this subtitle in an amount not to exceed \$150,000  
2530 annually; and

2531 (3) Providing refunds to hospitals pursuant to section 5065.

2532 (d) Money in the Fund may not be used to replace money appropriated to the Medicaid  
2533 program.

2534 (e)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2535 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2536 year, or at any other time.

2537 (2) Subject to authorization in an approved budget and financial plan, any funds  
2538 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2539 Sec. 5064. Hospital provider fee.

2540 (a) Beginning October 1, 2016, and subject to section 5065, the District may  
2541 charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged  
2542 at a uniform rate necessary to generate the following:

2543 (1) An amount equal to the non-federal share of the total available  
2544 spending room under the Medicaid upper payment limit for private hospitals applicable to  
2545 District Fiscal Year (“DFY”) 2017 consistent with the federal approval of the authorizing  
2546 Medicaid State Plan amendment; plus

2547 (2) An amount equal to the non-federal share of the total available  
2548 spending room under the Medicaid upper payment limit for District operated hospitals applicable  
2549 to DFY 2017 consistent with the federal approval of the authorizing Medicaid State Plan  
2550 amendment; plus

2551 (3) An amount equal to the Department's administrative expenses as  
2552 described in section 5063(c)(2).

2553 (b) A psychiatric hospital that is an agency or a unit of the District government is  
2554 exempt from the fee imposed under subsection (a) of this section, unless the exemption is

2555 adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is  
2556 an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this  
2557 section.

2558           Sec. 5065. Applicability of fees.

2559           (a) The fee imposed by section 5064 shall not be due and payable until such time that the  
2560 federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
2561 amendment authorizing the Medicaid payments described in section 5066.

2562           (b) The fee imposed by section 5064 shall cease to be imposed, and any moneys  
2563 remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them,  
2564 if:

2565                   (1) The Department makes changes in its rules that reduce the hospital inpatient  
2566 or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on  
2567 October 1, 2015; or

2568                   (2) The payments to hospitals required under section 5066 are modified in any  
2569 way other than to secure federal approval of such payments as described in section 5066 or are  
2570 not eligible for federal matching funds under section 1903(w) of the Social Security Act,  
2571 approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

2572           (c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if  
2573 the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social  
2574 Security Act by the Centers for Medicare and Medicaid Services.

2575           (d) Should the fee imposed by section 5064 not take effect or cease to be imposed,  
2576 moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section  
2577 5076 to the extent federal matching is available. If federal matching is not available due to a

2578 determination by the Centers for Medicare and Medicaid Services that the fee is impermissible,  
2579 any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

2580           Sec. 5066. Medicaid outpatient hospital access payments.

2581           (a)(1) For visits and services beginning October 1, 2016, quarterly Medicaid outpatient  
2582 hospital access payments shall be made to each private hospital.

2583                   (2) Each payment will be equal to the hospital's DFY 2014 outpatient Medicaid  
2584 payments divided by the total in District private hospital DFY 2014 outpatient Medicaid  
2585 payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

2586                   (3) The total outpatient private hospital access payment pool is equal to the total  
2587 available spending room under the private hospital outpatient Medicaid upper payment limit for  
2588 DFY 2017.

2589           (c)(1) For visits and services beginning October 1, 2016, outpatient hospital access  
2590 payments shall be made to the United Medical Center.

2591                   (2) Each payment will be equal to one quarter of the total outpatient public  
2592 hospital access payment pool.

2593                   (3) The total outpatient public hospital access payment pool is equal to the total  
2594 available spending room under the District-operated hospital outpatient Medicaid upper payment  
2595 limit for DFY 2017.

2596           (d) The quarterly Medicaid outpatient hospital access payments shall be made within 15  
2597 business days after the end of each DFY quarter for the Medicaid visits and services rendered  
2598 during that quarter.

2599 (e) No payments shall be made under this section until such time that the federal Centers  
2600 for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing  
2601 the Medicaid payments described in this subtitle.

2602 (f) The Medicaid payment methodologies authorized under this subtitle shall not be  
2603 altered in any way unless such alteration is necessary to gain federal approval from the Centers  
2604 for Medicare and Medicaid Services.

2605 Sec. 5067. Quarterly notice and collection.

2606 (a) The fee imposed under section 5064, which shall be calculated, due, and payable on a  
2607 quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter;  
2608 provided, that the fee shall not be due and payable until:

2609 (1) The District issues written notice that the payment methodologies for  
2610 payments to hospitals required under section 5066 have been approved by the federal Centers for  
2611 Medicare and Medicaid Services; and

2612 (2) The District issues written notice to the hospital informing the hospital of its  
2613 fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a  
2614 quarterly basis, including, in the initial written notice from the District to the hospital, all fee  
2615 amounts owed beginning with the period commencing on October 1, 2016, to ensure all  
2616 applicable fee obligations have been identified.

2617 (b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle,  
2618 the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof,  
2619 which shall be added to the unpaid balance.

2620 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
2621 fee and interest in arrears.

2622 (c) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2623 allowable cost for purposes of Medicaid hospital reimbursement.

2624 Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

2625 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2626 by the Department of Health, the hospital system shall pay the fee for each hospital separately.

2627 (b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person  
2628 ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as  
2629 evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the  
2630 cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a  
2631 fraction, the numerator of which is the number of days in the year during which the hospital  
2632 system or person conducted, operated, or maintained the hospital, and the denominator of which  
2633 is 365.

2634 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the  
2635 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
2636 previously paid.

2637 (c) Notwithstanding any other provision in this subtitle, a hospital system or person who  
2638 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee  
2639 computed under section 5064 and subsection (a) of this section in installments on the due date  
2640 stated in the notice and on the regular installment due dates for the DFY occurring after the due  
2641 dates of the initial notice.

2642 Sec. 5069. Rules.

2643 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
2644 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules  
2645 to implement the provisions of this subtitle.

2646 Sec. 5070. Sunset.

2647 This subtitle shall expire on September 30, 2017.

2648 **SUBTITLE H. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL**

2649 **PAYMENT**

2650 Sec. 5071. Short title.

2651 This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Act of  
2652 2016".

2653 Sec. 5072. Definitions.

2654 For the purposes of this subtitle, the term:

2655 (1) "Department" means the Department of Health Care Finance.

2656 (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the  
2657 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
2658 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but  
2659 excludes any hospital operated by the federal government and any specialty hospital, as defined  
2660 by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed  
2661 under a specialty hospital reimbursement methodology under the State Plan.

2662 (3) "Hospital system" means any group of hospitals licensed separately but  
2663 operated, owned, or maintained by a common entity.

2664 (4) "Inpatient net patient revenue" means the amount calculated in accordance  
2665 with generally accepted accounting principles for hospitals as derived from each hospital's filed

2666 Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the  
2667 period ending between October 1, 2013, and September 30, 2014, using the references below:

2668 (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18

2669 (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6,  
2670 and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1;  
2671 Line 18

2672 (C) Divided by: Worksheet G-2; Column 3; Line 28

2673 (D) Multiplied by: Worksheet G-3; Column 1; Line 3

2674 (5) “Medicaid” means the medical assistance programs authorized by Title XIX  
2675 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.)

2676 (“Social Security Act”), and by section 1 of An Act To enable the District of Columbia to receive  
2677 Federal financial assistance under title XIX of the Social Security Act for a medical assistance  
2678 program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code  
2679 § 1-307.02), and administered by the Department.

2680 Sec. 5073. Hospital Fund.

2681 (a) There is established as a special fund the Hospital Fund (“Fund”), which shall be  
2682 administered by the Department in accordance with subsection (c) of this section.

2683 (b) Revenue from the following sources shall be deposited in the Fund:

2684 (1) Fees collected under this subtitle;

2685 (2) Interest and penalties collected under this subtitle; and

2686 (3) Other amounts collected under this subtitle.

2687 (c) Money in the Fund shall be used solely as set forth in section 5074 (a)(2) of this  
2688 subtitle.

2689 (d)(1) The money deposited in the Fund, and interest earned, shall not revert to the  
2690 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2691 year, or at any other time.

2692 (2) Subject to authorization in an approved budget and financial plan, any funds  
2693 appropriated in the Fund shall be continually available without regard to fiscal year limitation;  
2694 provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded  
2695 to hospitals in proportion to the amounts paid by them.

2696 Sec. 5074. Hospital provider fee.

2697 (a)(1) Beginning October 1, 2016, and except as provided in subsection (b) of this section  
2698 and section 5087, the District, through the Office of Tax and Revenue, may charge each hospital  
2699 a fee based on its inpatient net patient revenue.

2700 (2) The fee shall be charged at a uniform rate necessary to generate no more than  
2701 \$10.4 million. Of this amount, \$1.4 million may be used to support the Medicaid Managed Care  
2702 Organization rates for inpatient hospitalization. The remaining amount shall be used to support  
2703 the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year (“DFY”)  
2704 2015 level of 98% of cost to non-specialty hospitals.

2705 (3) The fee collected pursuant to this section shall be deposited in the Hospital  
2706 Fund, established by section 5073.

2707 (b) A psychiatric hospital that is an agency or a unit of the District government is exempt  
2708 from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be  
2709 unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a  
2710 unit of the District government shall pay the fee imposed by subsection (a) of this section.

2711 (c) If necessary, by August 1, 2016, the Department shall submit a provider tax waiver  
2712 application to the Center for Medicare and Medicaid Services to ensure the provisions of this  
2713 subtitle qualify as a broad-based health care related tax, as that term is defined in section  
2714 1903(w)(3)(B) of the Social Security Act.

2715 Sec. 5075. Quarterly notice and collection.

2716 (a) The fee imposed under section 5074 shall be due and payable by the 15th of the last  
2717 month of each DFY quarter.

2718 (b) The fee imposed under section 5074 shall be calculated, due, and payable on a  
2719 quarterly basis, but shall not be due and payable until the District issues written notice to each  
2720 hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and  
2721 the fee amount owed on a quarterly basis, including, in the initial written notice from the District  
2722 to the hospital, all fee amounts owed beginning with the period October 1, 2016, to ensure all  
2723 applicable fee obligations have been identified.

2724 (c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid  
2725 balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be  
2726 added to the unpaid balance.

2727 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
2728 fee and interest in arrears.

2729 (d) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2730 allowable cost for purposes of Medicaid hospital reimbursement.

2731 Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals.

2732 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2733 by the Department of Health, the hospital system shall pay the fee for each hospital separately.

2734 (b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee  
2735 under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the  
2736 transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall  
2737 be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of  
2738 which is the number of days in the year during which the hospital system or person conducts,  
2739 operates, or maintains the hospital and the denominator of which is 365.

2740 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the  
2741 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
2742 previously paid.

2743 (c) Notwithstanding any other provision of this subtitle, a hospital system or person who  
2744 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee  
2745 required under 5074 in accordance with subsection (a) of this section on the due date stated in  
2746 the notice and on the regular installment due dates for the DFY occurring after the due date of  
2747 the initial notice.

2748 Sec. 5077. Federal determinations; suspension and termination of assessment.

2749 (a) If the Centers for Medicare and Medicaid Services determines that an assessment  
2750 imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal  
2751 financial participation set forth in section 1903(w) of the Social Security Act that determination  
2752 shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other  
2753 hospitals imposed by this subtitle.

2754 (b) If the Centers for Medicare and Medicaid Services determines that an exclusion for  
2755 specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from

2756 qualifying as a broad-based health care related tax, as that term is defined in section  
2757 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

2758 Sec. 5078. Rules.

2759 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
2760 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules  
2761 to implement the provisions of this subtitle.

2762 Sec. 5079. Sunset.

2763 This subtitle shall expire on September 30, 2017.

2764 **SUBTITLE I. PROGRAM ON WORK, EMPLOYMENT, AND**  
2765 **RESPONSIBILITY (POWER) AMENDMENT**

2766 Sec. 5081. Short title.

2767 This subtitle may be cited as the “Program on Work, Employment, and Responsibility  
2768 Amendment Act of 2016”.

2769 Sec. 5082. The District of Columbia Public Assistance Act of 1982, effective April 6,  
2770 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 et seq.), is amended as follows:

2771 (a) Section 572(a) (D.C. Official Code § 4-205.72(a)) is amended by striking the phrase  
2772 “and sections 573” and inserting the phrase “and sections 572a” in its place.

2773 (b) Section 572a(a)(1A) (D.C. Official Code § 4-205.72a(a)(1A)) is repealed.

2774 **SUBTITLE J. YOUTH SERVICES COORDINATION TASK FORCE**

2775 Sec. 5091. Short title.

2776 This subtitle may be cited as the “Expansion and Coordination of Youth Services Act of  
2777 2016”.

2778 Sec. 5092. Youth Services Coordination Task Force.

2779 (a) There is established a Youth Services Coordination Task Force (“Task Force”) within  
2780 the Office of the Deputy Mayor for Health and Human Services, for the purpose of studying the  
2781 establishment of a single network of service providers for District youth that can provide family  
2782 counseling, family support services, vocational training, subsidized work experiences, substance  
2783 abuse counseling and recovery assistance, mentoring, tutoring, GED preparation, community  
2784 service opportunities, and recreational activities to youth pursuant to Individualized Success  
2785 Plans developed by each agency.

2786 (b) The Task Force shall consist of the following persons or their designees:

2787 (1) The Deputy Mayor for Health and Human Services;

2788 (2) The Director of the Child and Family Service Agency;

2789 (3) The Director of the Department of Behavioral Health;

2790 (4) The Director of the Department of Disability Services;

2791 (5) The Director of the Department of Health;

2792 (6) The Director of the Department of Human Services;

2793 (7) The Director of the Department of Youth Rehabilitation Services;

2794 (8) The Chairperson of the Council Committee with jurisdiction over the  
2795 Department of Youth Rehabilitation Services;

2796 (9) The Chairperson of the Council Committee with jurisdiction over the  
2797 Department of Health; and

2798 (10) Two representatives from District youth-serving nonprofits, as chosen by the  
2799 Mayor.

2800 (c) The Task Force may, at the discretion of the Mayor, include the Directors of other  
2801 youth-serving District agencies, or their designees.

2802 (d) The Task Force shall elect a chairperson by a majority vote of the members.

2803 (e) No later than March 17, 2017, the Task Force shall provide a report to the Mayor, the  
2804 Council, and the public that includes:

2805 (1) Findings and recommendations on how best to establish a single network of  
2806 service providers, with unified grant-making procedures and reporting requirements, for youth  
2807 currently served by the Child and Family Services Agency, the Department of Behavioral  
2808 Health, the Department of Health, the Department of Human Services, the Department of Youth  
2809 Rehabilitation Services, and other District youth-serving agencies, as deemed appropriate by the  
2810 Task Force; and

2811 (2) Findings and recommendations on the feasibility of providing the services  
2812 described in subsection (a) of this section in centralized District-owned facilities in each Ward.

2813 Sec. 5093. Administration and appropriations.

2814 (a) The Office of the Deputy Mayor for Health and Human Services shall provide  
2815 facilities and other administrative support for the Task Force.

2816 (b) There are authorized to be appropriated from the general revenues of the District  
2817 funds necessary to carry out the purposes of this subtitle.

2818 Sec. 5094. Sunset.

2819 This subtitle shall expire on March 17, 2017.

2820 **SUBTITLE K. SUPPORTING NORMALCY, EMPOWERING FOSTER**  
2821 **CHILDREN, AND ENCOURAGING PLACEMENT WITH SIBLINGS**

2822 Sec. 5101. Short title

2823 This subtitle may be cited as the “Supporting Normalcy, Empowering Foster Children,  
2824 and Encouraging Placement with Siblings Amendment Act of 2016”.

2825           Sec. 5102. The Prevention of Child Abuse and Neglect Act of 1977, effective September  
2826 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

2827           (a) Section 102 (D.C. Official Code § 4-1301.02) is amended as follows:

2828                   (1) Paragraph (3) is amended as follows:

2829                           (A) Subparagraph (B) is amended by striking the phrase “under the plan;”  
2830 and inserting the phrase “under the plan. With respect to a child who has attained 14 years of  
2831 age, the plan, and any revision or addition to the plan, shall be developed in consultation with the  
2832 child and, at the option of the child, with up to 2 members of the case planning team who are  
2833 chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency  
2834 may reject an individual selected by a child to be a member of the case planning team at any time  
2835 if the agency has good cause to believe that the individual would not act in the best interests of  
2836 the child. One individual selected by a child to be a member of the child's case planning team  
2837 may be designated to be the child's advisor and, as necessary, advocate, with respect to the  
2838 application of the reasonable and prudent parent standard to the child.” in its place.

2839                           (B) Subparagraph (D) is amended by striking the phrase “16 years of age”  
2840 and inserting the phrase “14 years of age” in its place.

2841                           (C) Subparagraph (F)(ii) is amended by striking the phrase "separation of  
2842 siblings" and inserting the phrase "separation of siblings, including individuals who would have  
2843 been considered siblings of the child but for the termination of parental rights or death of a  
2844 parent," in its place.

2845                   (2) A new paragraph (16A) is added to read as follows:

2846                           “(16A) “Reasonable and prudent parent standard” means the standard  
2847 characterized by careful and sensible parental decisions that maintain the health, safety, and best

2848 interests of a child while at the same time encouraging the emotional and developmental growth  
2849 of the child, that should be used when determining whether to allow a child to participate in  
2850 extracurricular, enrichment, cultural, and social activities.”.

2851 (b) Section 303 (D.C. Official Code § 4-1303.03) is amended as follows:

2852 (1) Subsection (a)(16)(A) is amended as follows:

2853 (A) Sub-subparagraph (ii) is amended by striking the phrase “District of  
2854 Columbia; or” and inserting the phrase “District of Columbia;” in its place.

2855 (B) Sub-subparagraph (iii) is amended by striking the phrase “terminated.”  
2856 and inserting the phrase “terminated; or” in its place.

2857 (C) A new sub-subparagraph (iv) is added to read as follows:

2858 “(iv) The ward reaches 14 years of age and on an annual basis  
2859 thereafter.”.

2860 (2) Subsection (a-1)(5) is amended by striking the phrase "siblings," and inserting  
2861 the phrase "siblings, including individuals who would have been considered siblings of the child  
2862 but for the termination of parental rights or death of a parent," in its place.

2863 (c) A new section 303f is added to read as follows:

2864 “Sec. 303f. Reasonable and prudent parent standard.

2865 “(a) Foster parents and group homes for children who have been abused or neglected  
2866 shall use the reasonable and prudent parent standard when determining whether to allow a ward  
2867 to participate in extracurricular, enrichment, cultural, and social activities.

2868 “(b) The Agency, foster parents, and group homes shall not be held liable for any civil  
2869 damages resulting from the application of, or the failure to apply, the reasonable and prudent  
2870 parent standard, except in cases constituting gross negligence.”.

2871           Sec. 5103. Section 16-2323(d)(4) of the District of Columbia Official Code is amended

2872 as follows:

2873           (a) Subparagraph (B) is amended by striking the word “and”.

2874           (b) A new subparagraph (D) is added to read as follows:

2875                   “(D) For a child placed in another planned permanent living arrangement, the  
2876 steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in  
2877 section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective  
2878 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed  
2879 and that the child has opportunities to engage in age-appropriate or developmentally appropriate  
2880 activities; and”.

2881           **SUBTITLE L. NOT-FOR-PROFIT HOSPITAL CORPORATION CERTIFICATE**  
2882 **OF NEED EXEMPTION AMENDMENT ACT OF 2016**

2883           Sec. 5111. Short title.

2884           This subtitle may be cited as the “Not-For-Profit Hospital Corporation Certificate of  
2885 Need Exemption Amendment Act of 2016”.

2886           Sec. 5112. Section 8(b) of the Health Services Planning Program Re-establishment Act of  
2887 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended by  
2888 adding a new paragraph (14) to read as follows:

2889                   “(14) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care  
2890 clinic in the Bellevue neighborhood of Ward 8. The exemption provided in this paragraph shall  
2891 expire on September 30, 2017.”.

2892           **SUBTITLE M. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION**

2893           Sec. 5121. Short title.

2894 This subtitle may be cited as the “Department of Health Functions Clarification Act of  
2895 2016”.

2896 Sec. 5122. Section 4907a of the Department of Health Functions Clarification Act of  
2897 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended  
2898 by adding new subsections (i) and (j) to read as follows:

2899 “(i)(1) For Fiscal Year 2017, the Director of the Department of Health shall have the  
2900 authority to issue grants to qualified community organizations for the purpose of providing the  
2901 following services:

2902 “(A) Programs designed to improve food access:

2903 “(i) Through mobile, vehicle based farm stands that operate  
2904 at regularly scheduled stops, provide recipes and cooking demonstrations, and distribute locally  
2905 produced food to communities in underserved communities, not to exceed \$50,000; and

2906 “(ii) By delivering fresh produce to small retailers and  
2907 corner store owners that operate in underserved communities, not to exceed \$250,000; and

2908 “(B) A Farmers Market Subsidy program aimed at establishing healthy  
2909 dietary habits, providing incentives for farmers to locate in low-income communities, and  
2910 reducing chronic illness in District residents by providing monetary assistance for the purchase  
2911 of fresh fruits and vegetables to those receiving federal assistance not to exceed \$1,200,000; and

2912 “(C) Programs designed to support teen peer educators who work  
2913 to provide sexual health information and condoms to youth, not to exceed \$150,000.

2914 “(D) Programs designed to promote healthy development in girls

2915 attending public and chartered schools in grades 8-12 located in areas of the city possessing the  
2916 highest rates of teen pregnancy and highest enrollment in state-funded health programs in the  
2917 District, not to exceed \$500,000.

2918           “(2) All grants issued pursuant to paragraph (1) of this subsection shall be  
2919 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
2920 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

2921           “(3) The Department of Health shall submit a quarterly report to the Secretary to  
2922 the Council on all grants issued pursuant to the authority granted in paragraph (1) of this  
2923 subsection.

2924           “(j)(1) For Fiscal Year 2017, the Director of the Department of Health shall issue grants  
2925 totaling \$100,000 to nonprofit pediatric dental clinics to provide oral health literacy and  
2926 awareness programming.

2927           “(2) All grants issued pursuant to paragraph (1) of this subsection shall be  
2928 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
2929 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

2930           “(3) The Department of Health shall submit a quarterly report to the  
2931 Secretary Council on all grants issued pursuant to the authority granted in paragraph (1) of this  
2932 subsection.”.

2933           **SUBTITLE N. DCHA REHABILITATION AND MAINTENANCE FUND**

2934           Sec. 5131. Short title.

2935           This subtitle may be cited as the “District of Columbia Housing Authority Rehabilitation  
2936 and Maintenance Fund Amendment Act of 2016”.

2937           Sec. 5132. Section 3 of the District of Columbia Housing Authority Act of 1999,

2938 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202), is amended as follows:

2939 (a) Subsection (c) is amended as follows:

2940 (1) Strike the phrase “Authority Fund” and insert the phrase “Authority Fund  
2941 (“Authority Fund”)” in its place.

2942 (2) Strike the phrase “credited to the Fund” and insert the phrase “credited to the  
2943 Authority Fund” in its place.

2944 (3) Strike the phrase “out of the Fund” and insert the phrase “out of the Authority  
2945 Fund” in its place.

2946 (b) A new subsection (c-1) is added to read as follows:

2947 “(c-1) There is established as a special fund the DCHA Rehabilitation and Maintenance  
2948 Fund (“R & M Fund”), which shall be administered by the Authority in accordance with this  
2949 subsection.

2950 “(1) Deposits into the R & M Fund shall include \$15 million of one-time resource  
2951 allocated in Fiscal Year 2016 from existing resources within the Authority, as well as annual  
2952 appropriations, and any remaining local funds available to the Authority for the Local Rent  
2953 Supplement Program at the conclusion of each fiscal year.

2954 “(2) The money in the R & M Fund shall be used for the maintenance, repair, and  
2955 rehabilitation of public housing properties within the District.

2956 “(3) The R & M Fund shall not be used to fund:

2957 “(A) Any major rehabilitation or maintenance on any occupied unit set to  
2958 be demolished or otherwise removed from the Authority inventory within 9 months, other than to  
2959 protect the health or safety of tenants; or

2960 “(B) Any repair, maintenance, or rehabilitation of any vacant unit planned

2961 to be demolished or otherwise removed from the Authority inventory within 9 months.

2962                   “(4)(A) The money deposited into the R & M Fund, and interest earned, shall not  
2963 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end  
2964 of the fiscal year, or at any other time.

2965                   “(B) Subject to authorization in an approved budget and financial plan,  
2966 any funds appropriated in the R & M Fund shall be continually available without regard to fiscal  
2967 year limitation.

2968                   “(5) By January 1 and by July 1 of each year, the Authority shall submit a report  
2969 to the Mayor and to each Councilmember that details:

2970                                 “(A) How the funds in the R & M Fund were used in the prior fiscal year;

2971                                 “(B) The Authority's planned use of money in the R & M Fund for the  
2972 succeeding fiscal year, identifying the following:

2973   “(i) The address of the each public housing unit to be repaired,  
2974 rehabilitated, or renovated;

2975   “(ii) The nature of the repairs undertaken, whether they were  
2976 successful, and why;

2977   “(iii) The number of residents in each unit, including adults and  
2978 children;

2979   “(iv) The estimated cost of the repair, rehabilitation, or renovation;  
2980 and

2981   “(v) The share of the cost, if any, to be financed by the federal  
2982 government.”.

2983                   (c) Subsection (d) is amended as follows:

2984 (1) Strike the phrase “from the Fund” and insert the phrase “from the Authority  
2985 Fund” in its place.

2986 (2) Strike the phrase “revert to the fund balance of the General Fund of the  
2987 District of Columbia” and insert the phrase “be deposited in the R & M Fund” in its place.

2988 **SUBTITLE O. LRSP AMENDMENT**

2989 Sec. 5141. Short title.

2990 This subtitle may be cited as the "Local Rent Supplement Amendment Act of 2016".

2991 Sec. 5142. Section 26c of the District of Columbia Housing Authority Act of 1999,  
2992 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a  
2993 new subsection (f) to read as follows:

2994 “(f) Individuals that are categorized as returning citizens 62 years of age and over may be  
2995 referred by the Mayor’s Office on Returning Citizens Affairs to the Authority for the Local Rent  
2996 Supplement Program for eligibility determination.”.

2997 **SUBTITLE P. FLEXIBLE RENT SUBSIDY PILOT**

2998 Sec. 5151. Short title.

2999 This subtitle may be cited as the “Flexible Rent Subsidy Pilot Establishment Act of  
3000 2016”.

3001 Sec. 5152. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.  
3002 Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 31c to  
3003 read as follows:

3004 “Sec. 31c. Flexible Rent Subsidy Pilot Program.

3005           “(a) The Department of Human Services shall establish a Flexible Rent Subsidy Pilot  
3006 Program (“Program”) to subsidize the cost of monthly rent for families receiving, or eligible to  
3007 receive, Continuum of Care services.

3008           “(b) The subsidy shall be provided to each participating family by electronic debt card  
3009 solely for the purpose of paying the family’s monthly rent.

3010           “(c) The annual subsidy for a participating family shall not be equal to or exceed the cost  
3011 of an annual Local Rent Supplement Program housing voucher.

3012           “(d) Within 120 days of October 1, 2016, the Mayor, pursuant to Title I of the District of  
3013 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
3014 Official Code § 2-501 et seq.), shall issues rules to implement the provisions of this subtitle,  
3015 including rules establishing program eligibility, the dollar amount of the maximum annual  
3016 subsidy, and rules of program administration.

3017           “(e) This section shall expire on September 30, 2021.”.

## 3018 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

### 3019 **SUBTITLE A. WILDLIFE PROTECTION ENFORCEMENT**

3020           Sec. 6001. Short title.

3021           This subtitle may be cited as the “Wildlife Protection Enforcement Amendment Act of  
3022 2016”.

3023           Sec. 6002. The Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-  
3024 289; D.C. Official Code § 8-2201 *et seq.*), is amended as follows:

3025           (a) Section 2 (D.C. Official Code § 8-2201) is amended by striking the phrase “District  
3026 Department of the Environment” both times it appears and inserting the phrase “Department of  
3027 Energy and Environment” in its place.

3028 (b) Section 10(b) (D.C. Official Code § 8-2209(b)) is amended by striking the phrase  
3029 “inspections, pursuant to section 8” and inserting the phrase “services, including inspections,  
3030 sample collection, document review, or other reasonable costs or fees incurred in implementing  
3031 this act, or regulations promulgated pursuant to this act” in its place.

3032 (c) Section 12 (D.C. Official Code § 8-2211) is amended by adding a new subsection (c)  
3033 to read as follows:

3034 “(c) The Mayor may impose civil infraction penalties, fines, and fees as alternative  
3035 sanctions for any violation of this act or a regulation promulgated pursuant to this act, pursuant  
3036 to the procedures of the Department of Consumer and Regulatory Affairs Civil Infractions Act of  
3037 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.).”.

3038 **SUBTITLE B. AIR QUALITY RULEMAKING AMENDMENT**

3039 Sec. 6011. Short title.

3040 This subtitle may be cited as the “Air Quality Rulemaking Amendment Act of 2016”.

3041 Sec. 6012. The District of Columbia Air Pollution Control Act of 1984, effective March  
3042 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*), is amended as follows:

3043 (a) Section 5(d)(5) (D.C. Official Code § 8-101.05(d)(5)) is amended by striking the  
3044 phrase “District Department of the Environment’s” and inserting the phrase “Department of  
3045 Energy and Environment’s” in its place.

3046 (b) Section 5a(d) (D.C. Official Code § 8-101.05a(d)) is amended by striking the phrase  
3047 “implementing this section and section 5” and inserting the phrase “implementing this act or a  
3048 regulation promulgated pursuant to this act” in its place.

3049 (c) Section 6 (D.C. Official Code § 8-101.06) is amended as follows:

3050 (1) Subsection (b) is repealed.

3051 (2) Subsection (c) is amended to read as follows:

3052 “(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
3053 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2–501 *et seq.*), may issue  
3054 rules to implement the provisions of this act, including establishing fines, permit fees, and other  
3055 fees necessary to support the implementation of this act.”.

3056 **SUBTITLE C. ENERGY INNOVATION AND SAVINGS AMENDMENT**

3057 Sec. 6021. Short title.

3058 This subtitle may be cited as the “Energy Innovation and Savings Amendment Act of  
3059 2016”.

3060 Sec. 6022. The Energy Innovation and Savings Amendment Act of 2012, effective March  
3061 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*), is amended as follows:

3062 (a) Section 201 (D.C. Official Code § 8-1772.01) is amended as follows:

3063 (1) Paragraph (2) is repealed.

3064 (2) Paragraph (3) is amended by striking the phrase “; provided, that the term  
3065 “commercial property” shall not include a small store, hotel, or restaurant.” and inserting a  
3066 period in its place.

3067 (3) A new paragraph (3A) is added to read as follows:

3068 “(3A) “DOEE” means the Department of Energy and Environment.”.

3069 (4) Paragraph (5) is repealed.

3070 (b) Section 202 (D.C. Official Code § 8-1772.02) is amended to read as follows:

3071 “Sec. 202. Commercial property energy conservation.

3072 “(a) A commercial property shall keep exterior doors and windows closed when an air  
3073 conditioner that cools the adjacent area is in operation, except:

3074 “(1) As needed to permit the ingress and egress of people or the delivery or  
3075 shipping of goods;

3076 “(2) As needed to permit vehicular access to or for a loading dock; and

3077 “(3) When an emergency situation exists that requires an exterior door or window  
3078 to be kept open.

3079 “(b) This section shall not apply to exterior doors or windows of hotels and restaurants  
3080 that adjoin an indoor or outdoor seating area where food or beverages are served during times  
3081 when the indoor or outdoor seating area is open for use by customers.

3082 “(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
3083 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
3084 rules to implement the provisions of Title II of this act.”.

3085 (c) Section 203(f) (D.C. Official Code § 8-1772.03(f)) is amended by striking the phrase  
3086 “the Director of the District Department of the Environment” and inserting the acronym “DOEE”  
3087 in its place.

3088 Sec. 6023. Section 305(b) of the Energy Efficiency Financing Act of 2010, effective May  
3089 27, 2010 (D.C. Law 18-183; D.C. Official Code § 8-1778.45(b)), is amended by striking the  
3090 phrase “until 5 years after the effective date of the initial contract to retain an administrator.” and  
3091 inserting a period in its place.

3092 **SUBTITLE D. PRODUCT STEWARDSHIP PROGRAM AMENDMENT**

3093 Sec. 6031. Short title.

3094 This subtitle may be cited as the “Product Stewardship Program Amendment Act of  
3095 2016”.

3096           Sec. 6032. The Sustainable Solid Waste Management Amendment Act of 2014, effective  
3097 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is amended as  
3098 follows:

3099           (a) Section 101 (D.C. Official Code § 8-1031.01) is amended as follows:

3100                   (1) Paragraph (3) is amended by striking the period and inserting the phrase “and  
3101 identified on the list of compostable materials described in section 103(b).” in its place.

3102                   (2) Paragraph (6) is amended to read as follows:

3103                           “(6) “DOEE” means the Department of Energy and Environment.”.

3104                   (3) Paragraph (13) is amended by striking the period and inserting the phrase “and  
3105 identified on the list of recyclable materials described in section 103(b).” in its place.

3106           (b) Section 108 (D.C. Official Code § 8-1031.08) is amended by striking the acronym  
3107 “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3108           (c) Section 115(8) (D.C. Official Code § 8-1041.01(8)) is amended by striking the word  
3109 “year” both times it appears and inserting the phrase “calendar year” in its place .

3110           (d) Section 117 (D.C. Official Code § 8-1041.03) is amended as follows:

3111                   (1) Strike the phrase “previous year” wherever it appears and insert the phrase  
3112 “previous calendar year” in its place.

3113                   (2) Strike the phrase “program year” both times it appears and insert the phrase  
3114 “calendar year” in its place.

3115                   (3) Subsection (a) is amended by striking the date “January 1, 2016” and inserting  
3116 the date “June 1, 2017” in its place.

3117                   (4) Subsection (b) is amended as follows:

3118 (A) Strike the date “January 1, 2016” and insert the date “December 31,  
3119 2016” in its place.

3120 (B) Paragraph (9)(C) is amended by striking the phrase “, including how  
3121 the organization will take into account the economic value of different types of covered  
3122 electronic equipment;” and inserting the phrase “; and” in its place.

3123 (e) Section 118 (D.C. Official Code § 8-1041.04) is amended as follows:

3124 (1) Subsection (a) is amended by striking the phrase “previous year” wherever it  
3125 appears and inserting the phrase “previous calendar year” in its place.

3126 (2) Subsection (b) is amended by striking the phrase “program year” and inserting  
3127 the phrase “calendar year” in its place.

3128 (f) Section 119 (D.C. Official Code § 8-1041.05) is amended as follows:

3129 (1) Subsection (a) is amended by striking the date “January 1, 2016” and inserting  
3130 the date “January 1, 2017” in its place.

3131 (2) Subsection (b)(1) is amended as follows:

3132 (A) Subparagraph (A) is repealed.

3133 (B) Subparagraph (D) is amended by striking the phrase “calendar years”  
3134 and inserting the phrase “reporting years” in its place.

3135 (C) Subparagraph (E) is amended by striking the phrase “previous year”  
3136 and inserting the phrase “previous reporting year” in its place.

3137 (3) Subsection (e) is amended by striking the date “January 1, 2017” and inserting  
3138 the date “January 1, 2018” in its place.

3139 (g) Section 124 (D.C. Official Code § 8-1041.10) is amended as follows:

3140 (1) Subsection (a) is amended as follows:

3141 (A) Strike the date “March 1, 2017” and insert the date “June 1, 2018” in  
3142 its place.

3143 (B) Strike the date “April 1” and insert the date “June 1” in its place.

3144 (2) Subsection (b) is amended by striking the date “March 1, 2019” and inserting  
3145 the date “June 1, 2019” in its place.

3146 (h) Section 126 (D.C. Official Code § 8-1041.12) is amended as follows:

3147 (1) Subsection (a)(1) is repealed.

3148 (2) Subsection (b) is amended to read as follows:

3149 “(b) The Mayor may impose civil fines and penalties as sanctions for violations of the  
3150 provisions of this subtitle or any rules issued under the authority of this subtitle, pursuant to the  
3151 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October  
3152 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).”.

3153 (3) A new subsection (c) is added to read as follows:

3154 “(c) In addition to the enforcement authority provided in subsection (b) of this section,  
3155 the Mayor may seek injunctive relief or other appropriate remedy in any court of competent  
3156 jurisdiction to enforce compliance with the provisions of this subtitle.”.

3157 Sec. 6033. Section 3(c) of the Anacostia River Clean Up and Protection Act of 2009,  
3158 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.02(c)), is amended  
3159 as follows:

3160 (a) Paragraph (1) is amended by striking the semicolon and inserting the phrase “; and” in  
3161 its place.

3162 (b) Paragraph (2) is amended by striking the phrase “; and” and inserting a period in its  
3163 place.

3164 (c) Paragraph (3) is repealed.

3165 Sec. 6034. Section 401 of the Sustainable DC Omnibus Amendment Act of 2014,  
3166 effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531), is amended as  
3167 follows:

3168 (a) The existing paragraph (1) is redesignated as paragraph (1A).

3169 (b) A new paragraph (1) is added to read as follows:

3170 “(1) “Compostable” means made solely of materials that break down into, or  
3171 otherwise become part of, usable compost in a safe and timely manner in an appropriate  
3172 program; provided, that once the Mayor has published the list of compostable materials  
3173 described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of  
3174 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)), the  
3175 materials shall also be identified on that list;”.

3176 (c) A new paragraph (5) is added to read as follows:

3177 “(5) “Recyclable” means made solely of materials that can be recycled using the  
3178 District’s recycling collection program and identified on the list of recyclable materials  
3179 authorized in section 103(b) of the Sustainable Solid Waste Management Amendment Act of  
3180 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)).”.

3181 Sec. 6035. Section 2 of the District of Columbia Comprehensive Plan for a Multi-  
3182 Material Recycling System Act of 1987, effective July 25, 1987 (D.C. Law 7-19; D.C. Official  
3183 Code § 8-1101), is repealed.

3184 **SUBTITLE E. CLEAN AND AFFORDABLE ENERGY AMENDMENT**

3185 Sec. 6041. Short title.

3186 This subtitle may be cited as the “Clean and Affordable Energy Amendment Act of  
3187 2016”.

3188 Sec. 6042. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
3189 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

3190 (a) Section 101 (D.C. Official Code § 8-1773.01) is amended as follows:

3191 (1) Paragraph (2) is amended to read as follows:

3192 “(2) “DOEE” means the Department of Energy and Environment.”.

3193 (2) Strike the phrase “the District Department of the Environment” wherever it  
3194 appears and insert the acronym “DOEE” in its place.

3195 (3) Paragraph (20) is amended by striking the acronym “DDOE” and inserting the  
3196 acronym “DOEE” in its place.

3197 (b) Section 201 (D.C. Official Code § 8-1774.01) is amended as follows:

3198 (1) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3199 “DOEE” in its place.

3200 (2) Strike the phrase “the District Department of the Environment” and insert the  
3201 acronym “DOEE” in its place. (c) Section 202 (D.C. Official Code § 8-1774.02) is amended by  
3202 striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its  
3203 place.

3204 (d) Section 203 (D.C. Official Code § 8-1774.03) is amended as follows:

3205 (1) Strike the acronym “DDOE” both times it appears and insert the acronym  
3206 “DOEE” in its place.

3207 (2) Strike the phrase “the Energy Office” both times it appears and insert the  
3208 acronym “DOEE” in its place.

3209 (e) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows:

3210 (1) Strike the phrase “the Energy Office” and insert the acronym “DOEE” in its  
3211 place.

3212 (2) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3213 “DOEE” in its place.

3214 (3) Subsection (g) is amended to read as follows:

3215 “(g) The Board shall annually prepare and present a report on the progress of the SEU to  
3216 the Council within 90 days after the conclusion of the independent review of the performance  
3217 and expenditures of the SEU under section 205(k). The Department shall make the report  
3218 available to the public on its website within 10 days of its submission to the Council.”.

3219 (f) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows:

3220 (1) Strike the phrase “District Department of the Environment” and insert the  
3221 acronym “DOEE” in its place.

3222 (2) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3223 “DOEE” in its place.

3224 (g) Section 206 (D.C. Official Code § 8-1774.06) is amended by striking the acronym  
3225 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3226 (h) Section 207 (D.C. Official Code § 8-1774.07) is amended by striking the acronym  
3227 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3228 (i) Section 209 (D.C. Official Code § 8-1774.09) is amended by striking the acronym  
3229 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3230 (j) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

3231 (1) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3232 “DOEE” in its place.

3233 (2) Subsection (c)(10) is amended by striking the phrase “in Fiscal Year 2016”  
3234 and inserting the phrase “in Fiscal Year 2016 and \$1.2 million in Fiscal Year 2017” in its place.

3235 (k) Section 211(e) (D.C. Official Code § 8-1774.11(e)) is amended by striking the  
3236 acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3237 Sec. 6043. The Renewable Energy Portfolio Standard Act of 2004, effective April 12,  
3238 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

3239 (a) Section 3(5) (D.C. Official Code § 34-1431(5)) is amended to read as follows:

3240 “(5) “DOEE” means the Department of Energy and Environment.”.

3241 (b) Section 6 (D.C. Official Code § 34-1434) is amended as follows:

3242 (1) Subsection (d) is amended by striking the acronym “DDOE” and inserting the  
3243 acronym “DOEE” in its place.

3244 (2) Subsection (f) is amended by striking the phrase “District Department of the  
3245 Environment” and inserting the acronym “DOEE” in its place.

3246 (c) Section 8 (D.C. Official Code § 34-1436) is amended as follows:

3247 (1) Strike the phrase “Energy Office” wherever it appears and insert the acronym  
3248 “DOEE” in its place.

3249 (2) Strike the acronym “DDOE” and insert the acronym “DOEE” in its place.

3250 (d) Section 9 (D.C. Official Code § 34-1437) is amended by striking the phrase “Energy  
3251 Office” both times it appears and inserting the acronym “DOEE” in its place.

3252 Sec. 6044. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;  
3253 D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

3254 (a) Section 2(9A) (D.C. Official Code § 6-1451.01(9A)) is amended to read as follows:

3255 “(9A) “DOEE” means the Department of Energy and Environment.”.

3256 (b) Section 3 (D.C. Official Code § 6-1451.02) is amended by striking the acronym

3257 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3258 (c) Section 4(c)(2) (D.C. Official Code § 6-1451.03(c)(2)) is amended by striking the

3259 acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3260 (d) Section 10 (D.C. Official Code § 6-1451.09) is amended by striking the acronym

3261 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3262 (e) Section 12(c) (D.C. Official Code § 6-1451.11(c)) is amended by striking the acronym

3263 “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3264 **SUBTITLE F. STREETCAR AUTHORIZATION AMENDMENT**

3265 Sec. 6051. Short title.

3266 This subtitle may be cited as the “Streetcar Authorization Amendment Act of 2016”.

3267 Sec. 6052. Section 5 of the District Department of Transportation DC Streetcar

3268 Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-

3269 921.71, note), is repealed.

3270 **SUBTITLE G. PUBLICATION OF SAFETY ENHANCEMENT**

3271 **RECOMMENDATIONS**

3272 Sec. 6061. Short title.

3273 This subtitle may be cited as the “Publication of Safety Enhancement Recommendations

3274 Amendment Act of 2016”.

3275           Sec. 6062. Section 6103 of the Fiscal Year 2014 Budget Support Act of 2013, effective  
3276   December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 50-921.01, note), is amended as  
3277   follows:

3278           (a) The lead-in language is amended by striking the phrase “On or before February 1,  
3279   2014” and inserting the phrase “On or before January 1, 2017, and annually thereafter” in its  
3280   place.

3281           (b) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in  
3282   its place.

3283           (c) Paragraph (2) is amended by striking the period and inserting the phrase “; and” in its  
3284   place.

3285           (d) A new paragraph (3) is added to read as follows:

3286                   “(3) A list of infrastructure and enforcement recommendations to enhance safety  
3287   at each of the 10 most dangerous intersections identified under paragraph (2) of this section, and  
3288   a timeline for the implementation of each recommendation.”.

3289           **SUBTITLE H. BID PARKING ABATEMENT FUND AMENDMENT**

3290           Sec. 6071. Short title.

3291           This subtitle may be cited as the “BID Parking Abatement Fund Amendment Act of  
3292   2016”.

3293           Sec. 6072. Section 6082(b) of the Fiscal Year 2016 Budget Support Act of 2015,  
3294   effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.341(b)), is amended to  
3295   read as follows:

3296                   “(b) The Fund shall be funded by an annual appropriation in the amount of \$120,000  
3297   from the District’s annually approved budget and financial plan.”.

3298           **SUBTITLE I. COMMUNITY RENEWABLE ENERGY CREDIT RATE**

3299           **CLARIFICATION AMENDMENT**

3300           Sec. 6081. Short title.

3301           This subtitle may be cited as the “Community Renewable Energy Credit Rate  
3302 Clarification Amendment Act of 2016”.

3303           Sec. 6082. Section 101(12A) of the Retail Electric Competition and Consumer Protection  
3304 Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501(12A)), is  
3305 amended by striking the phrase “the standard offer service rate for the” and inserting the phrase  
3306 “the full retail distribution rate, which includes generation, transmission, and distribution  
3307 charges, for the” in its place.

3308           **SUBTITLE J. COMPETITIVE GRANTS**

3309           Sec. 6091. Short title.

3310           This subtitle may be cited as the “Competitive Grants Act of 2016”.

3311           Sec. 6092. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3312 grant, on a competitive basis, in an amount not to exceed \$250,000, for a study to evaluate the  
3313 feasibility, costs, and benefits of establishing a municipally–owned, public electric utility in the  
3314 District.

3315           Sec. 6093. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3316 grant, on a competitive basis, in an amount not to exceed \$300,000, to conduct a study on aircraft  
3317 noise for arriving and departing flights from Ronald Reagan Washington National Airport,  
3318 including evaluation of the current noise environment, analysis of current noise impact modeling  
3319 assumptions and inputs, review of current noise abatement programs, and recommendations to  
3320 reduce noise or mitigate its impact.

3321           Sec. 6094. In Fiscal Year 2017, the Department of Small and Local Business  
3322   Development shall award a grant, on a competitive basis, in an amount not to exceed \$135,000,  
3323   to provide clean team services to the following area: Wisconsin Avenue, N.W., from Davis  
3324   Street, N.W., to R Street, N.W.

3325           Sec. 6095. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3326   grant, on a competitive basis, in an amount not to exceed \$200,000, to one or more nonprofit  
3327   organizations to employ youth in improving and cleaning the Anacostia River and surrounding  
3328   area.

3329           **SUBTITLE K. COMPOST DROP-OFF PROGRAM**

3330           Sec. 6101. Short title.

3331           This subtitle may be cited as the “Compost Drop-Off Program Act of 2016”.

3332           Sec. 6102. Compost drop-off program.

3333           (a) The Department of Public Works (“Department”) shall establish a program that  
3334   allows residents to drop off food waste weekly for compost.

3335           (b) The Department shall establish one drop-off site in each Ward to operate year-round.

3336           (c) The Department shall provide the public with instructional materials that describe:

3337                   (1) How to collect food waste for compost; and

3338                   (2) What food waste is appropriate for compost.

3339           (d) If the Department requires residents to purchase any materials or equipment to  
3340   participate in the program, the Department shall sell the materials or equipment at cost; provided,  
3341   that the Department shall provide any required materials or equipment for free to any resident  
3342   who participates in a federal assistance program.

3343           **SUBTITLE L. ENVIRONMENTAL LITERACY PROGRAM AMENDMENT**

3344           Sec. 6111. Short title.

3345           This subtitle may be cited as the “Environmental Literacy Program Amendment Act of  
3346 2016”.

3347           Sec. 6112. Section 502(d) of the Healthy Schools Act of 2010, effective July 27, 2010  
3348 (D.C. Law 18-209; D.C. Official Code § 38-825.02(d)), is amended to read as follows:

3349           “(d)(1) The Office of the State Superintendent of Education (“OSSE”) shall establish an  
3350 Environmental Literacy Leadership Cadre (“Cadre”), which shall be comprised of teachers,  
3351 selected by OSSE, at public schools and public charter schools. Each teacher in the Cadre shall:

3352                           “(A) Create, if applicable, and help maintain the school garden;

3353                           “(B) Implement composting and recycling programs at their school;

3354                           “(C) Implement the Environmental Literacy Plan, or other OSSE-  
3355 approved guidance, at their school; and

3356                           “(D) Assist other teachers at their school with incorporating science  
3357 standards.

3358           “(2) OSSE shall provide each teacher selected to participate in the Cadre with an  
3359 appropriate and fair stipend, in addition to the teacher’s salary.

3360           “(3) OSSE shall provide grants to nonprofit and community-based organizations  
3361 to support the schools represented in the Cadre by providing or coordinating programs and  
3362 activities related to school-based environmental literacy programs.

3363           “(4) OSSE may create or implement other initiatives or projects that support the  
3364 Cadre.

3365                   “(5) For the purposes of this subsection, the term “Environmental Literacy Plan”  
3366 means the guide instilling environmental literacy in students, published June 2012 by the Mayor  
3367 pursuant to this section.”.

3368                   **SUBTITLE M. SELF-SERVICE EXHAUST EMISSIONS TESTING PILOT**  
3369 **PROGRAM**

3370                   Sec. 6141. Short title.

3371                   This subtitle may be cited as the “Self-Service Exhaust Emissions Testing Pilot Program  
3372 Amendment Act of 2016”.

3373                   Sec. 6142. An Act To provide for the annual inspection of all motor vehicles in the  
3374 District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101 et  
3375 seq.), is amended by adding a new section 10 to read as follows:

3376                   “Sec. 10. Self-service exhaust emissions testing pilot program.

3377                   “(a) Within 120 days of the effective date of the Self-Service Exhaust Emissions Testing  
3378 Pilot Program Amendment Act of 2016, as approved by the Committee of the Whole on May 17,  
3379 2016 (Committee print of Bill 21-669), the Department of Motor Vehicles (“Department”) shall  
3380 establish a pilot program to provide for the use of one or more self-service kiosks to test motor  
3381 vehicles for exhaust emissions.

3382                   “(b) At a minimum, each kiosk shall allow:

3383                   “(1) An individual to test a motor vehicle to determine whether the vehicle  
3384 complies with the exhaust emissions standards established under this act and regulations issued  
3385 pursuant to this act; and

3386                   “(2) For testing 24 hours per day, 7 days per week, on a first-come, first-served  
3387 basis; provided, that the Department may periodically close a kiosk for necessary maintenance.

3388           “(c) The Department shall establish the specifications for the kiosks, the types of motor  
3389 vehicles that are eligible for self-service exhaust emissions testing, the location of the kiosks, and  
3390 the cost per test; provided, that the cost per test shall not exceed the cost per test of an exhaust  
3391 emissions test conducted at a non-self-service inspection station.

3392           “(d) The Department may enter into contracts with one or more vendors for the  
3393 equipment, operation, and maintenance necessary to conduct the pilot program.

3394           “(e) On or before March 30, 2018, the Department shall submit a written report to the  
3395 Council that evaluates the pilot program’s operations, including the number of vehicles  
3396 inspected, a description of issues that arose during the reporting period, and a study of the impact  
3397 of the pilot program on the number of vehicles inspected and wait times at non-self-service  
3398 inspection stations.”.

3399           Sec. 6143. Sunset.

3400           This subtitle shall expire on September 30, 2018.

3401           **SUBTITLE N. WAIVER OF PUBLIC SPACE PERMIT FEES FOR CIVIC**  
3402 **ASSOCIATIONS**

3403           Sec. 6161. Short title.

3404           This subtitle may be cited as the “Civic Associations Public Space Permit Fee Waiver  
3405 Amendment Act of 2016”.

3406           Sec. 6162. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective  
3407 December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

3408           (a) Designate the existing text as subsection (a).

3409           (b) The newly designated subsection (a)(1) is amended by striking the phrase “Is  
3410 conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

3411 (c) A new subsection (b) is added to read as follows:

3412 “(b) For the purposes of this section, the term “civic association” means an organization  
3413 that is:

3414 “(1) Comprised of residents of the community within which the public space,  
3415 public right of way, or public structure is located;

3416 “(2) Operated primarily for the improvement of the community within which the  
3417 public space, public right of way, or public structure is located; and

3418 “(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue  
3419 Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).”.

3420 Sec. 6163. Section 24-225.12 of the District of Columbia Municipal Regulations is  
3421 amended as follows:

3422 (a) Designate the existing text as paragraph (a).

3423 (b) The newly designated paragraph (a)(1) is amended by striking the phrase “Is  
3424 conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

3425 (c) A new paragraph (b) is added to read as follows:

3426 “(b) For the purposes of this subsection, the term “civic association” means any  
3427 organization that is:

3428 “(1) Made up of residents of the community within which the public space, public  
3429 right-of-way, or public structure is located;

3430 “(2) Operated primarily for the improvement or benefit of the community within  
3431 which the public space, public right-of-way, or public structure is located; and

3432 “(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue  
3433 Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).”.

3434                   **SUBTITLE O. KINGMAN ISLAND AND HERITAGE ISLAND STUDY.**

3435                   Sec. 6171. This subtitle may be cited as the “Kingman Island and Heritage Island  
3436 Planning and Feasibility Study Act of 2016”.

3437                   Sec. 6172. (a) By May 1, 2017, the Director of the Department of the Environment  
3438 (“Director”) shall submit to the Council a proposal for the use of Kingman Island and Heritage  
3439 Island for recreational, environmental, and educational purposes and a report supporting the  
3440 proposal.

3441                   (b) The report shall assesses the feasibility and cost of developing, maintaining, and  
3442 managing a state-of-the-art nature center and other possible structures consistent with the  
3443 National Children’s Island Act of 1995, approved July 19, 1996 (110 Stat. 1416; D.C. Official  
3444 Code § 10-1401 et seq.), the Anacostia Waterfront Framework Plan, and the District’s  
3445 Comprehensive Plan on Kingman Island and Heritage Island. It shall include:

3446                               (1) A feasibility review of existing architectural drawings for a nature center;

3447                               (2) Cost estimates for building any proposed infrastructure or amenities  
3448 necessary to conduct recreational, environmental, and educational events on Kingman Island and  
3449 Heritage Island;

3450                               (3) Maintenance costs for the nature center, other structures such as a covered  
3451 pavilion for performances and events, and any infrastructure;

3452                               (4) Potential partnerships for recreational, environmental, and educational  
3453 activities on Kingman Island and Heritage Island; and

3454                               (5) Management options for the nature center and related infrastructure.

3455                   (c) In developing the proposal and report, the Director shall work with:

3456                               (1) The Deputy Mayor for Planning and Economic Development;

- 3457 (2) The Department of Parks and Recreation;
- 3458 (3) The Department of Transportation;
- 3459 (4) Nonprofit organizations focused on the restoration of the Anacostia River;
- 3460 (5) Nonprofit organizations that provide environmental and educational programs
- 3461 and activities;
- 3462 (6) Residents in nearby neighborhoods; and
- 3463 (7) Other possible public and private partners for recreational, environmental, and
- 3464 educational activities on Kingman Island and Heritage Island.

3465 **TITLE VII. FINANCE AND REVENUE**

3466 **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

3467 Sec. 7001. Short title.

3468 This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2016”.

3469 Sec. 7002. Section 4 of the Access to Emergency Epinephrine in Schools Amendment

3470 Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 759), is repealed.

3471 Sec. 7003. Section 3 of the Injured Worker Fair Pay Amendment Act of 2015, effective

3472 December 15, 2015 (D.C. Law 21-39; 62 DCR 13744), is repealed.

3473 Sec. 7004. Section 4 of the Vault Tax Clarification Amendment Act of 2011, effective

3474 January 12, 2012 (D.C. Law 19-78; 58 DCR 10102), is repealed.

3475 Sec. 7005. Section 3 of the Notice Requirements for Historic Properties Amendment Act

3476 of 2014, effective April 30, 2015 (D.C. Law 20-249; 62 DCR 1512), is repealed.

3477 Sec. 7006. Section 3 of the Higher Education Tax Exemption Act of 2016, enacted on

3478 March 16, 2016 (D.C. Act 21-341; 63 DCR 4328), is repealed.

3479           Sec. 7007. Section 7 of the Made in DC Program Establishment Act of 2016, enacted on  
3480 May 3, 2016 (D.C. Act 21-388; 63 DCR \_\_\_\_), is repealed.

3481           Sec. 7008. Section 14 of the Repeal of Outdated and Unnecessary Audit Mandates  
3482 Amendment Act of 2016, enacted on May 10, 2016 (D.C. Act 21-392; 63 DCR \_\_\_\_), is repealed.

3483           Sec. 7009. Section 3 of the Campaign Finance Reform and Transparency Amendment  
3484 Act of 2015, effective February 22, 2014 (D.C. Law 21-79; 61 DCR 3469), is repealed.

3485           Sec. 7010. Section 3 of the Voter Registration Access and Ballot Modernization  
3486 Amendment Act of 2013, effective February 26, 2015 (D.C. Law 20-158; 62 DCR 3604), is  
3487 repealed.

3488           Sec. 7011. Section 601 of the Transportation Reorganization Amendment Act of 2015,  
3489 enacted on May 4, 2016 (D.C. Act 21-378; 63 DCR \_\_\_\_), is repealed.

3490           Sec. 7012. Section 4(b) of the Tree Canopy Protection Amendment Act of 2015, enacted  
3491 on May 4, 2016 (D.C. Act 21-386; 63 DCR\_\_\_\_), is repealed.

3492           Sec. 7013. Section 301 of the Trash Compactor Tax Incentive Act of 2014, effective  
3493 (D.C. Law 20-223; 62 DCR 227), is amended to read as follows:

3494           “Sec. 301. Applicability.

3495           “This act shall apply as of October 1, 2016.”.

3496           Sec. 7014. Section 3 of the New Issue Bond Program Tax Exemption Amendment Act of  
3497 2011, effective December 31, 2011 (D.C. Law 19-60; D.C. Official Code § 42-1102, note), is  
3498 repealed.

3499           **SUBTITLE B. OMNIBUS BUDGET SUPPORT CLARIFICATION**

3500           **AMENDMENT**

3501           Sec. 7011. Short title.

3502 This subtitle may be cited as the “Omnibus Budget Support Clarification Amendment Act  
3503 of 2016”.

3504 Sec. 7012. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015  
3505 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

3506 (a) Section 1072(a)(1) is amended by striking the phrase “December 15, 2016” and  
3507 inserting the phrase “April 30, 2017” in its place.

3508 (b) Section 6004 is repealed.

3509 (c) Section 6193 is amended by striking the phrase “2016” and inserting the phrase  
3510 “2017” in its place.

3511 (d) Section 8042(g) is amended by striking the phrase “Notwithstanding any other  
3512 provision in this act” and inserting the phrase “Notwithstanding any other provision of this act,  
3513 and excluding any Master Lease/Equipment (fund Detail 0302) funds” in its place.

3514 Sec. 7014. Section 2(h) of the School Transit Subsidy Act of 1978, effective March 6,  
3515 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)), is amended as follows:

3516 (a) Paragraph (2)(A) is amended by striking the phrase “Under 22 years of age” and  
3517 inserting the phrase “A resident of the District of Columbia under 22 years of age” in its place.

3518 (b) Paragraph (6) is repealed.

3519 Sec. 7023. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved  
3520 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking  
3521 the word “permanent”.

3522 Sec. 7024. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA  
3523 Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-  
3524 155; D.C. Official Code § 1-325.311), is amended to read as follows:

3525 “Sec. 7154. WMATA Operations Support Fund.

3526 “(a) There is established as a special fund the WMATA Operations Support Fund (“Fund”),  
3527 which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this  
3528 section.

3529 “(b) Upon affirmance of the trial court’s summary-judgment rulings by the District of  
3530 Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al.*, Nos. 14-CV-308, 14-  
3531 CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial  
3532 court, to include any additional amounts in taxes and interest paid by defendants or accrued during  
3533 the pendency of that litigation, minus the amounts designated for other purposes in sections 7152  
3534 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment  
3535 Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the  
3536 Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of  
3537 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited in the  
3538 Fund.

3539 “(b-1) Any and all settlements, judgments, or recoveries in *District of Columbia v. Bank of*  
3540 *America, N.A., et al., 2008 CA 007763 B*, including any additional amounts in taxes and interest  
3541 paid by defendants or accrued during the pendency of that litigation, shall be deposited into the  
3542 Fund.”.

3543 “(c) The monies in the Fund shall be available to fund extraordinary or unanticipated  
3544 operating or capital needs of the Washington Metropolitan Area Transit Authority (“WMATA”)  
3545 that arise outside of WMATA’s regular inter-jurisdictional subsidy allocation formulae.

3546           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
3547 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year,  
3548 or at any other time.

3549           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3550 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3551           Sec. 7025. Section 401 of the Sustainable Solid Waste Management Amendment Act of  
3552 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), is repealed.

3553           Sec. 7026. Section 308(d)(1) of the District of Columbia Public Space Rental Act,  
3554 approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended  
3555 by striking the phrase “For periods beginning after June 30, 2015, interest on unpaid vault rent”  
3556 and inserting the phrase “Beginning September 15, 2015, interest on any unpaid vault rent for  
3557 any vault year” in its place.

3558           Sec. 7027. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,  
3559 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

3560           (a) Paragraph (2) is amended as follows:

3561                   (1) Subparagraph (E) is amended by striking the word “or”.

3562                   (2) Subparagraph (F) is amended by striking the period and inserting the phrase  
3563 “; or” in its place.

3564                   (3) A new subparagraph (G) is added to read as follows:

3565                           “(G) A substitute teacher or a substitute aide who is employed by District  
3566 of Columbia Public Schools for a period of 30 or fewer consecutive work days.”.

3567           (b) New paragraphs (9) and (10) are added to read as follows:

3568                   “(9) “Substitute aide” means an individual who is employed by District of  
3569 Columbia Public Schools to provide instructional assistance (general, specialized, or  
3570 concentrated) to students on a temporary basis when the regular instructional aide is unavailable.  
3571 The term “substitute aide” does not include an individual employed by District of Columbia  
3572 Public Schools on a term or full-time assignment.

3573                   “(10) “Substitute teacher” means an individual who is employed by District of  
3574 Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular  
3575 teacher is unavailable. The term “substitute teacher” does not include an individual employed by  
3576 District of Columbia Public Schools on a term or full-time assignment.”.

3577                   Sec. 7028. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective  
3578 December 17, 2014 (D.C. Law 20-142; 62 DCR 1243), is amended to read as follows:

3579                   “(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.”.

3580                   Sec. 7029. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980  
3581 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

3582                   (a) Paragraph (4) is amended by striking the word “outcomes” and inserting the phrase  
3583 “outcomes as of December 31, 2015,” in its place.

3584                   (b) A new paragraph (5) is added to read as follows:

3585                   “(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an  
3586 evaluation of multiple years of the summer youth jobs program to assess whether the program has  
3587 met and is meeting program objectives.”.

3588                   Section 7031. Section 47-355.07 of the District of Columbia Official Code is amended as  
3589 follows:

3590                   (a) Subsection (c)(1) is amended as follows:

3591 (1) Subparagraph (A) is amended by striking the phrase “serve at the pleasure of”  
3592 and inserting the phrase “shall be appointed by” in its place.

3593 (2) Subparagraph (B) is amended by striking the phrase “serves at the pleasure of”  
3594 and inserting the phrase “shall be appointed by” in its place.

3595 (3) Subparagraph (D) is amended by striking the phrase “serves at the pleasure of”  
3596 and inserting the phrase “shall be appointed by” in its place.

3597 (b) Subsection (d)(3)(D) is amended by striking the phrase “taken or proposed to be taken”  
3598 and inserting the word “recommended” in its place.

3599 (c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

3600 “(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an  
3601 alleged violation.

3602 “(2) In investigating a report of an alleged violation, the Review Board may:

3603 “(A) Request assistance from the Office of the Chief Financial Officer, the  
3604 Office of the Inspector General, and the Office of the Attorney General; and

3605 “(B) Consult with the Office of the Attorney General for the purposes of  
3606 obtaining legal advice.

3607 “(d-2) The Review Board:

3608 “(1) Shall have access, subject to any privileges or confidentiality requirements as  
3609 provided by law, to all facilities, files, and databases of the District government, including all files,  
3610 electronic paper records, reports, documents, and other materials that may relate to the investigation;

3611 “(2) May request information or assistance from any District, federal, state, or local  
3612 government agency as may be necessary for carrying out the investigation; and

3613                   “(3) May seek information from parties outside the District government, including  
3614 government contractors, that may be relevant to the investigation.

3615                   “(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of  
3616 boards, commissions, and councils of the District government shall cooperate in an investigation by  
3617 the Review Board and shall provide documents, materials, and information to the Review Board  
3618 upon request.

3619                   “(2) Subject to any applicable privileges, officers, employees, and members of  
3620 boards, commissions, and councils of the District government shall respond truthfully to all  
3621 questions posed by the Review Board, and shall not prevent or prohibit the Review Board from  
3622 initiating, carrying out, or completing an investigation within its jurisdiction.

3623                   “(3) The Review Board:

3624                                 “(A) May require any officer, employee, or member of a board, commission,  
3625 or council of the District government, including the subject of an allegation, to appear before the  
3626 Review Board; and

3627                                 “(B) Shall provide any officer, employee, or member of a board,  
3628 commission, or council of the District who is potentially subject to disciplinary action an  
3629 opportunity to appear before the Review Board.

3630                   “(4) The Review Board may recommend an appropriate disciplinary action with  
3631 respect to any officer, employee, or member of a board, commission, or council of the District  
3632 government who fails to cooperate fully with a Review Board investigation.”.

3633                   Section 7032. Chapter 13A of Title 47 of the District of Columbia Official Code is amended  
3634 as follows:

3635                   (a) Section 47-1341 is amended as follows:

3636 (1) Subsection (a)(1) is amended by striking the phrase “, postage prepaid, bearing a  
3637 postmark from the United States Postal Service.”.

3638 (2) Subsection (b-1)(1) is amended by striking the phrase “, postage prepaid, bearing  
3639 a postmark from the United States Postal Service.”.

3640 (b) Section 47-1353.01(a) is amended by striking the phrase “, postage prepaid, bearing a  
3641 postmark from the United States Postal Service to the last known address of the owner” and  
3642 inserting the phrase “to the person who last appears as the owner of the real property on the tax  
3643 roll, at the last address shown on the tax roll, as updated by the filing of a change of address in  
3644 accordance with § 42-405” in its place.

3645 Section 7033. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
3646 as follows:

3647 (a) The table of contents is amended by striking the phrase “Tax haven updates.” and  
3648 inserting the phrase “Tax haven updates. (Repealed).” in its place.

3649 (b) Section 47-1801.04(49) is amended as follows:

3650 (1) Subparagraph (A) is amended by striking the phrase “means the jurisdictions  
3651 listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and inserting the phrase  
3652 “means a jurisdiction that” in its place.

3653 (2) Subparagraph (B-i) is repealed.

3654 (c) Section 47-1810.09 is repealed.

3655 Section 7034. Section 47-1801.04(11) of the District of Columbia Official Code is amended  
3656 as follows:

3657 (a) Subparagraph (A) is amended by striking the phrase “calendar year beginning January 1,  
3658 2011” wherever it appears and inserting the phrase “base year” in its place.

3659 (b) A new subparagraph (C) is added to read as follows:

3660 “(C) For the purposes of this paragraph, the term “base year” shall mean the  
3661 calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before  
3662 the calendar year in which the new dollar amount of a deduction or exemption shall become  
3663 effective, whichever is later.”.

3664 Section 7035. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is  
3665 amended to read as follows:

3666 “(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal  
3667 exemption otherwise allowable for the taxable year in the case of an individual whose adjusted  
3668 gross income exceeds \$150,000 shall be reduced by 2% for every \$2,500 (or fraction thereof) by  
3669 which the taxpayer’s adjusted gross income for the taxable year exceeds \$150,000.”.

3670 Section 7036. Section 6(b) of the Food Policy Council and Director Establishment Act of  
3671 2014, effective March 10, 2015 (D.C Law 20-191; 62 DCR 3820), is amended to read as follows:

3672 “(b) Section 5 shall apply as of October 1, 2015.”.

3673 Section 7037. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective  
3674 October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase “shall be  
3675 a violation of” and inserting the phrase “shall be a violation, to be adjudicated pursuant to” in its  
3676 place.

3677 Section 7038. Section 2404 of Title 18 of the District of Columbia Municipal  
3678 Regulations (18 DCMR § 2404) is amended as follows:

3679 (a) Subsection 2404.15 is amended to read as follows:

3680 “2404.15 Except as provided in § 2424, the rates for parking meters in the “Premium  
3681 Demand Parking Meter Rate Zones” shall be as follows:

3682 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

3683 “(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

3684 (b) Subsection 2404.17 is amended to read as follows:

3685 “2404.17 Except as provided in § 2424, the rates for parking meters in the “Normal  
3686 Demand Parking Meter Rate Zones” shall be as follows:

3687 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

3688 “(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

3689 (c) This section shall apply as of June 1, 2016.

3690 Sec. 7039. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015,  
3691 effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

3692 (a) Strike the phrase “YY105C” in the tabular array and insert the phrase “YY159C” in  
3693 its place.

3694 (b) Strike the phrase “PROSPECT ES MODERNIZATION/RENOVATION” in the  
3695 tabular array and insert the phrase “ELLINGTON MODERNIZATION/RENOVATION” in its  
3696 place.

3697 Sec. 7040. Section 5 of the Primary Date Alteration Amendment Act of 2014, effective  
3698 May 2, 2015 (D.C. Law 20-273; 62 DCR 1938), is repealed.

3699 Section 7041. Title 47 of the District of Columbia Official Code is amended as follows:

3700 (a) Section 47-1807.02(a)(6) of the District of Columbia Official Code is amended by  
3701 striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

3702 (b) Section 47-1808.03(a)(6) of the District of Columbia Official Code is amended by  
3703 striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

3704           **SUBTITLE C. COMBINED REPORTING AMENDMENT**

3705           Sec. 7021. Short title.

3706           This subtitle may be cited as the “Combined Reporting Amendment Act of 2016”.

3707           Sec. 7022. Section 47-1810.08(b) of the District of Columbia Official Code is amended  
3708 as follows:

3709           (a) Designate the existing text as paragraph (1).

3710           (b) The newly designated paragraph (1) is amended by striking the phrase “5th year” and  
3711 inserting the phrase “10th year” in its place.

3712           (c) A new paragraph (2) is added to read as follows:

3713                   “(2) If there is an underpayment of estimated tax for tax year 2015 as a result of  
3714 taking into account the deduction pursuant to this section, the estimated tax interest resulting  
3715 from such underpayment, upon application, shall be waived.”.

3716           **SUBTITLE D. FRANCHISE TAX RETURN DUE DATE**

3717           Sec. 7031. Short title.

3718           This subtitle may be cited as the “Franchise Tax Return Due Date Amendment Act of  
3719 2016”.

3720           Sec. 7032. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
3721 as follows:

3722           (a) Section 47-1805.01 is amended by striking the word “Mayor” wherever it appears  
3723 and inserting the phrase “Chief Financial Officer” in its place.

3724           (b) Section 47-1805.02 is amended by striking the word “Mayor” wherever is appears  
3725 and inserting the phrase “Chief Financial Officer” in its place.

3726           (c) Section 47-1805.03 is amended as follows:

3727 (1) Subsection (a) is amended as follows:

3728 (A) Designate the existing text as paragraph (1).

3729 (B) The newly designated paragraph (1) is amended as follows:

3730 (i) Strike the phrase “All returns” and insert the phrase “For tax  
3731 years beginning before January 1, 2016, all returns” in its place.

3732 (ii) Strike the phrase “filed with the Mayor” and insert the phrase  
3733 “filed with the Chief Financial Officer” in its place.

3734 (C) A new paragraph (2) is added to read as follows:

3735 “(2) For tax years beginning after December 31, 2015, all returns of  
3736 income for the preceding taxable year required to be filed under the provisions of § 47-1805.01  
3737 shall be filed with the Chief Financial Officer on or before the 15th day of April of each year;  
3738 except, that such returns, if made on the basis of a fiscal year, shall be filed on or before the 15th  
3739 day of the 4th month following the close of such fiscal year.”.

3740 (2) Subsection (b) is amended by striking the phrase “The Mayor” and inserting  
3741 the phrase “The Chief Financial Officer” in its place.

3742 **SUBTITLE E. COLLEGE SAVINGS PROGRAM AMENDMENT**

3743 Sec. 7041. Short title.

3744 This subtitle may be cited as the “College Savings Program Amendment Act of 2016”.

3745 Sec. 7042. The lead-in text of section 47-4512(b)(1) of the District of Columbia Official  
3746 Code is amended to read as follows:

3747 “By May 31st of each year, the Chief Financial Officer shall submit to the Council a  
3748 report for the preceding fiscal year, which shall include:”.

3749           **SUBTITLE F. D.C. LOTTERY AMENDMENT**

3750           Sec. 7051. Short title.

3751           This subtitle may be cited as the "Lottery Amendment Act of 2016".

3752           Sec. 7052. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles  
3753 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;  
3754 D.C. Official Code § 3-1301 *et. seq.*), is amended as follows:

3755           (a) Section 4 (D.C. Official Code § 3-1301) is amended to read as follows:

3756           “Section 2-2501. Creation; established as an office within the Office of the Chief  
3757 Financial Officer; transfer of powers; definitions.

3758           “(a) There is hereby created by the District of Columbia, the District of Columbia  
3759 Lottery and Charitable Games Control Board.

3760           “(b) Effective with the appointment of the first Chief Financial Officer under section  
3761 424(b) and pursuant to section 424(a)(3) of the District of Columbia Home Rule Act, approved  
3762 April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), the Board is established as a  
3763 subordinate office within the Office of the Chief Financial Officer and shall be called the Office  
3764 of Lottery and Charitable Games. All of the powers, duties, functions, and personnel of the  
3765 Board are transferred to the Office of the Chief Financial Officer.

3766           “(c) For this purposes of this act, the term:

3767           (1) “Board” means the District of Columbia Lottery and Charitable Games  
3768 Control Board established by this section.

3769           (2) “Office” means the Office of Lottery and Charitable Games established by this  
3770 section.”.

3771           (b) Section 4 (D.C. Official Code § 3-1302) is amended to read as follows:

3772 “Section 2-2502. Oath requirement.

3773 “Before entering upon the discharge of the duties of office, the Executive Director and  
3774 the Deputy Director shall take an oath that he or she will faithfully execute the duties of office  
3775 according to the laws of the District of Columbia. In addition, each employee of the Office shall  
3776 take and subscribe to an oath or affirmation that he or she is not pecuniarily interested,  
3777 voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association,  
3778 organization, or corporation engaged in any activity related to legalized or illegal gambling. If  
3779 required by the Chief Financial Officer, an employee shall file a financial disclosure statement  
3780 according to the laws of the District of Columbia.”.

3781 (c) Section 4 (D.C. Official Code § 3-1303) is amended to read as follows:

3782 “(a)(1) Pursuant to section 424a of the District of Columbia Home Rule Act, approved  
3783 April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), after consultation with the  
3784 Mayor and the Council, the Chief Financial Officer shall appoint an Executive Director and a  
3785 Deputy Director of the Office, each of whom shall serve at the pleasure of the Chief Financial  
3786 Officer.

3787 “(2) The Chief Financial Officer shall determine the compensation for the  
3788 Executive Director and the Deputy Director.

3789 “(3) Prior to performing the duties of their respective offices, the Executive  
3790 Director and the Deputy Director shall take the oath of office as required by section 4 (D.C.  
3791 Official Code § 3-1302).

3792 “(b)(1) Subject to the direction and supervision of the Chief Financial Officer, the  
3793 Executive Director shall:

3794 “(A) Serve as the Chief Executive Officer of the Office;

3795                           “(B) Manage, administer, and coordinate the operation of public gambling  
3796 and charitable games activities; and

3797                           “(C) Employ other assistants and employees who shall serve at the  
3798 pleasure of the Chief Financial Officer.

3799                           “(2)(A) The Chief Financial Officer may delegate any of his or her functions to the  
3800 Executive Director or to any other officer or employee of the Office, and may delegate to the  
3801 Executive Director or other employee such other duties the Chief Financial Officer considers  
3802 necessary for the proper and efficient operation of public gambling and charitable activities.

3803                           “(B) The Executive Director may, with the approval of the Chief Financial  
3804 Officer, make a further delegation of all or a part of the functions to subordinates under his or her  
3805 jurisdiction.

3806                           “(C) The Chief Financial Officer may revoke any delegation at any time.”.

3807                           (d) Section 4 (D.C. Official Code § 3-1304) is amended to read as follows:

3808                           “The Chief Financial Officer may require any of its Office employees to give a bond in  
3809 an amount determined by the Chief Financial Officer. Every such bond shall be filed with the  
3810 District of Columbia Treasurer. The cost of any bond given pursuant to this subsection shall be  
3811 part of the necessary expenses of the Office. Further, Office employees shall be fingerprinted  
3812 before, and as a condition of, employment.

3813                           (e) Section 4 (D.C. Official Code § 3-1305) is amended by striking the phrase “No  
3814 member of the Board, Chairperson of the Board, Executive Director, or employee of the Board”  
3815 and inserting the phrase “Neither the Executive Director nor any employee of the Office” in its  
3816 place.

3817                           (f) Section 4 (D.C. Official Code § 3-1306) is amended as follows:

3818 (1) Subsection (a) is amended as follows:

3819 (A) The first sentence is amended as follows:

3820 (i) Strike the phrase “The Board shall have” and insert the phrase  
3821 “The Chief Financial Officer shall have” in its place.

3822 (ii) Strike the phrase “existing licensees of the Board” and insert  
3823 the phrase “existing licensees of the Office” in its place.

3824 (B) The second sentence is amended as follows:

3825 (i) Strike the word “Board” and insert the phrase “Chief Financial  
3826 Officer” in its place.

3827 (ii) Strike the phrase “Corporation Counsel” and insert the phrase  
3828 “Attorney General” in its place.

3829 (2) Subsection (b) is amended by striking the word “Board” both times it appears  
3830 and inserting the phrase “Chief Financial Officer” in its place.

3831 (g) Section 4 (D.C. Official Code § 3-1307) is amended as follows:

3832 (1) The first sentence is amended as follows:

3833 (A) Strike the word “Board” and insert the phrase “Chief Financial  
3834 Officer” in its place.

3835 (B) Strike the phrase “disbursements of the Board” and insert the phrase  
3836 “disbursements of the Office” in its place.

3837 (2) The second sentence is amended by striking the phrase “which the Board may  
3838 deem” and inserting the phrase “that the Chief Financial Officer may consider” in its place.

3839 (3) The third sentence is amended by striking the word “Board” and inserting the  
3840 phrase “Chief Financial Officer” in its place.

3841 (h) Section 4 (D.C. Official Code § 3-1308) is amended to read as follows:

3842 “(a) The Chief Financial Officer, the designee of the Chief Financial Officer, or other  
3843 agent authorized by law (“empowered authority”) shall have the power to administer oaths and  
3844 take testimony under oath relative to a matter of inquiry or investigation undertaken pursuant to  
3845 this act. At any hearing ordered by the Chief Financial Officer or designee, the empowered  
3846 authority may subpoena witnesses and require production of records, papers, and documents  
3847 relevant to the inquiry or investigation.

3848 “(b) The refusal or failure to provide relevant testimony or produce relevant records,  
3849 papers, and documents pursuant to a properly issued subpoena of the Chief Financial Officer or  
3850 designee by any applicant before the empowered authority, or by any officer, director, or  
3851 employee of the applicant, licensee, or agent, may subject the applicant to summary denial of its  
3852 application and summary termination of its license or authorization of the licensee or agent.

3853 “(c)(1) If any person disobeys the process authorized pursuant to this section or having  
3854 appeared in obedience to a lawful request to appear refuses to answer any relevant or pertinent  
3855 question propounded by the empowered authority, the Chief Financial Officer or designee may  
3856 apply to the Superior Court of the District of Columbia, or to any judge of the Court if the Court  
3857 is not in session, (“Court”) setting forth the facts relating to the disobedience to the process or  
3858 refusal to answer questions, the Court shall order the person to appear before the Court to answer  
3859 the questions the person had been asked or to produce the records and papers sought at the  
3860 inquiry or investigation.

3861 “(d) Upon the person’s continued refusal, the Court, in accordance with the appropriate  
3862 provisions of District law, shall take such punitive action as the Court considers necessary and  
3863 appropriate.

3864           “(e) Notwithstanding the imposition of any punitive action imposed on the person by the  
3865 Court, the Chief Financial Officer or designee may proceed with the inquiry or investigation as if  
3866 the person had not previously been called to testify.”.

3867           (i) Section 4 (D.C. Official Code § 3-1309) is amended to read as follows:

3868           “Section 2-2509. Recordkeeping.

3869           “The Chief Financial Officer shall maintain full and complete records of the conduct and  
3870 operation of daily numbers games and lotteries and of the regulation of bingo, raffles, and Monte  
3871 Carlo Night parties, which shall include a statement of revenues and license fees, prize  
3872 disbursements, and administrative expenses. The records shall be open and available to the  
3873 public.”.

3874           (j) Section 4 (D.C. Official Code § 3-1310) is amended to read as follows:

3875           “The Chief Financial Officer shall have the authority to establish Divisions within the  
3876 Office.”.

3877           (k) Section 4 (D.C. Official Code § 3-1311) is amended to read as follows:

3878           “(a)(1) The Chief Financial Officer shall submit to the Mayor a consolidated budget  
3879 covering all anticipated income, expenses (including all start-up costs), and capital outlays of the  
3880 Office, which budget shall show the net amount for which it requests an appropriation.

3881           “(2) The net amount for which the Chief Financial Officer requests an  
3882 appropriation shall be the difference between the anticipated expenses for the coming fiscal year,  
3883 including debt service for capital expenses and a reserve for bad debts, as shown in the  
3884 consolidated budget, and the anticipated income shown in that budget.

3885           “(b)(1) The budget shall be submitted on the date that all District government agencies  
3886 are required to submit their budgets to the Mayor.

3887                   “(2) The Mayor shall transmit to the Council the budget as requested by the Chief  
3888 Financial Officer. The Mayor may also submit such modified budget as the Mayor considers  
3889 appropriate.

3890                   (1) Section 4 (D.C. Official Code § 3-1312) is amended as follows:

3891                   (1) Subsection (a) is amended by striking the word “Board” wherever it appears  
3892 and inserting the phrase “Chief Financial Officer” in its place.

3893                   (2) Subsection (b) is amended to read as follows:

3894                   “(b) Any monies of the Office, from whatever source derived (including gifts to  
3895 the Office), shall be for the sole use of the Fund and shall be deposited as soon as practicable in  
3896 the Fund and shall be disbursed from the Fund according to the terms of this act. The  
3897 disbursements of up to \$500 from the Fund shall be paid out in checks signed by the Executive  
3898 Director or designee. Disbursements in excess of \$500 shall be paid out in checks signed by the  
3899 Executive Director and the Treasurer of the District of Columbia.”.

3900                   (3) Subsection (c) is amended by striking the word “Board” wherever it appears  
3901 and inserting the phrase “Chief Financial Officer” in its place.

3902                   (m) Section 4 (D.C. Official Code § 3-1313) is amended by striking the word “Board”  
3903 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3904                   (n) Section 4 (D.C. Official Code § 3-1314) is amended as follows:

3905                   (1) The first sentence is amended by striking the phrase “The Board shall” and  
3906 inserting the phrase “The Office shall” in its place.

3907                   (2) The second and third sentences are amended by striking the word “Board”  
3908 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3909 (o) Section 4 (D.C. Official Code § 3-1315) is amended by striking the word “Board”  
3910 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3911 (p) Section 4 (D.C. Official Code § 3-1316) is amended as follows:

3912 (1) Subsection (a) is amended as follows:

3913 (A) Strike the phrase “Board, in its discretion,” and insert the phrase  
3914 “Chief Financial Officer, in the Chief Financial Officer’s discretion,” in its place.

3915 (B) Strike the phrase “in the name of the Board, to the Credit of the Board,  
3916 which the Board is authorized to establish, in institutions designated by it which are legal” and  
3917 insert the phrase “in the name of the Office, to the credit of the Office, which the Chief Financial  
3918 Officer is authorized to establish, in institutions designated by the Chief Financial Officer that  
3919 are legal” in its place.

3920 (2) Subsection (b) is amended as follows:

3921 (A) Strike the phrase “benefit of the Board” and insert “benefit of the  
3922 Office” in its place.

3923 (B) Strike the phrase “transferred to the Board. The Board shall” and  
3924 insert the phrase “transferred to the Office. The Chief Financial Officer shall” in its place.

3925 (C) Strike the phrase “sales agents. The Board” and insert the phrase  
3926 “sales agents. The Chief Financial Officer” in its place.

3927 (q) Section 4 (D.C. Official Code § 3-1317) is amended as follows:

3928 (1) Strike the phrase “The Board may authorize” and insert the phrase “The Chief  
3929 Financial Officer may authorize” in its place.

3930 (2) Strike the phrase “the Board may determine.” and insert the phrase “the Chief  
3931 Financial Officer may determine.” in its place.

3932 (3) Strike the phrase “accounts of the Board” and insert the phrase “accounts of  
3933 the Office” in its place.

3934 (4) Strike the phrase “authorized by the Board because” and insert the phrase  
3935 “authorized by the Chief Financial Officer because” in its place.

3936 (5) Strike the phrase “as the Board may require.” and insert the phrase “as the  
3937 Chief Financial Officer may require.” in its place.

3938 (r) Section 4 (D.C. Official Code § 3-1318) is amended as follows:

3939 (1) Subsection (a) is amended as follows:

3940 (A) The lead-in text is amended by striking the word “Board” and  
3941 inserting the word “Office” in its place.

3942 (B) Paragraph (5) is amended by striking the word “Board” and inserting  
3943 the phrase “Chief Financial Officer” in its place.

3944 (2) Subsection (b) is amended by striking the word “Board” and inserting the  
3945 phrase “Chief Financial Officer” in its place.

3946 (s) Section 4 (D.C. Official Code § 3-1319) is amended by striking the word “Board” and  
3947 inserting the phrase “Chief Financial Officer” in its place.

3948 (t) Section 4 (D.C. Official Code § 3-1320) is amended as follows:

3949 (1) Strike the phrase “Any member or employee of the Board” and insert the  
3950 phrase “The Chief Financial Officer, any employee of the Office,” in its place.

3951 (2) Strike the phrase “any member or employee of the Board” and insert the  
3952 phrase “the Chief Financial Officer or any employee of the Office” in its place.

3953 (u) Section 4 D. C. Official Code § 3-1321) is amended as follows:

3954 (1) The existing text is designated as subsection (a).

3955 (2) The newly designated subsection (a) is amended as follows:

3956 (A) Strike the phrase “The Board” each time it appears and insert the  
3957 phrase “The Chief Financial Officer” in its place.

3958 (B) Strike the phrase “paid over to the Board which shall” and insert the  
3959 phrase “paid over to the District of Columbia Treasurer who shall” in its place.

3960 (C) A new subsection (b) is added to read as follows:

3961 “(b) Any rule or regulation promulgated by the Board prior to the transfer  
3962 of its functions and personnel to the Chief Financial Officer by section 424(a)(3) of the District  
3963 of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-  
3964 204.24a(c)), shall continue in effect, except to the extent as modified or superseded by the Chief  
3965 Financial Officer, or designee, or made inapplicable by or under other law.”.

3966 (v) Section 4 (D.C. Official Code § 3-1322) is amended by striking the word “Board” and  
3967 inserting the phrase “Chief Financial Officer” in its place.

3968 (w) Section 4 (D.C. Official Code § 3-1322.01) is amended by striking the word “Board”  
3969 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3970 (x) Section 4 (D.C. Official Code § 3-1323) is amended as follows:

3971 (1) Subsection (b) is amended by striking the word “Board” and inserting  
3972 the word “Office” in its place.

3973 (2) Subsection (b-1) is amended as follows:

3974 (A) Paragraph (1) is amended by striking the word “Board” and  
3975 inserting the word “Office” in its place.

3976 (B) Paragraphs (2) and (3) are amended by striking the word  
3977 “Board” both times it appears and inserting the phrase “Chief Financial Officer” in its place.

3978 (3) Subsections (c) and (d) are amended by striking the word “Board”  
3979 both times it appears and inserting the word “Office” in its place.

3980 (y) Section 4 (D.C. Official Code § 3-1324) is amended as follows:

3981 (1) Strike the phrase “The Board shall adopt rules” and insert the phrase “Chief  
3982 Financial Officer” in its place.

3983 (2) Strike the phrase “raffles. The Board” and insert the phrase “raffles. The  
3984 Office” in its place.

3985 (3) Strike the phrase “regulations. The Board” and insert the phrase “regulations.  
3986 The Office” in its place.

3987 (4) Strike the phrase “paid over to the Board” and insert the phrase “paid over to  
3988 the Office” in its place.

3989 (5) Strike the phrase “right to a hearing before the Board” and insert the phrase  
3990 “right to a hearing before the Chief Financial Officer or designee” in its place.

3991 (z) Section 4 (D.C. Official Code § 3-1325) is amended as follows:

3992 (1) Strike the phrase “regulations of the Board and to insure” and insert the phrase  
3993 “regulations of the Chief Financial Officer and to insure” in its place.

3994 (2) Strike the phrase “given to the Board” and insert the phrase “given to the  
3995 Office” in its place.

3996 (3) Strike the phrase “determined by the Board.” and insert the phrase  
3997 “determined by the Chief Financial Officer.” in its place.

3998 (4) Strike the phrase “pay to the Board” and insert “pay to the Office” in its  
3999 place.

4000 (aa) Section 4(a) (D.C. Official Code § 3-1326(a)) is amended as follows:

4001 (1) Strike the phrase “licensed by the Board” both times it appears and insert the  
4002 phrase “licensed by the Office” in its place.

4003 (2) Strike the phrase “regulations of the Board” and insert the phrase “regulations  
4004 of the Chief Financial Officer” in its place.

4005 (3) Strike the phrase “prescribed by the Board” and insert the phrase “prescribed  
4006 by the Office” in its place.

4007 (4) Strike the phrase “directives of the Board” and insert the phrase “directives of  
4008 the Chief Financial Officer” in its place.

4009 (bb) Section 4 (D.C. Official Code § 3-1327) is amended as follows:

4010 (1) Strike the phrase “set by the Board” and insert the phrase “set by the Chief  
4011 Financial Officer” in its place.

4012 (2) Strike the phrase “enable the Board” and insert the phrase “enable the Office”  
4013 in its place.

4014 (cc) Section 4(a) (D.C. Official Code § 3-1328(a)) is amended by striking the phrase  
4015 “The Board, in its discretion” and inserting the phrase “The Chief Financial Officer, in the Chief  
4016 Financial Officer’s discretion” in its place.

4017 (dd) Section 4 (D. C. Official Code § 3-1329) is amended by striking the word “Board”  
4018 and inserting the word “Office” in its place.

4019 (ee) Section 4 (D. C. Official Code §§ 3-1330) is amended by striking the word “Board”  
4020 wherever it appears and inserting the word “Office” in its place.

4021 (ff) Section 4 (D.C. Official Code § 3-1331) is amended as follows:

4022 (1) Strike the phrase “regulations set forth by the Board” and insert the phrase  
4023 “regulations set forth by the Chief Financial Officer” in its place.

4024 (2) Strike the phrase “at which he shall have the right” and insert the phrase “at  
4025 which the licensee shall have the right” in its place.

4026 (3) Strike the phrase “revoked, the Board shall state” and insert the phrase  
4027 “revoked, the Chief Financial Officer shall state” in its place.

4028 (4) Strike the phrase “record books of the Board” and insert the phrase “record  
4029 books of the Chief Financial Officer” in its place.

4030 (gg) Section 4 (D. C. Official Code § 3-1332) is amended by striking the word “Board”  
4031 and inserting the word “Office” in its place.

4032 (hh) Section 4 (D.C. Official Code § 3-1335) is amended striking the word “Board”  
4033 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

4034 (ii) Section 4 (D. C. Official Code § 3-1336) is amended as follows:

4035 (1) In subsection (a), strike the phrase “No Board member, officer, or employee of  
4036 the Board” and insert the phrase “Neither the Chief Financial Officer nor any employee of the  
4037 Office of the Chief Financial Officer or the Office” in its place.

4038 (2) Subsection (b) is amended as follows:

4039 (A) Strike the phrase “Office of Contracting and Procurement” and  
4040 insert the phrase “Office of Contracts of the Office of the Chief Financial Officer” in its place.

4041 (B) Strike the phrase “on behalf of the Board” and insert the phrase “on  
4042 behalf of the Office” in its place.

4043 (3) Subsection (d) is amended to read as follows:

4044 “No contract awarded or entered into by the Office of the Chief Financial Officer  
4045 may be assigned by the holder thereof except by specific approval of the Chief Financial  
4046 Officer.”.

4047 (4) Subsection (g) is amended by striking the word “Board” and inserting the  
4048 phrase “Chief Financial Officer” in its place.

4049 Sec. 7053. Section 2(e)(11) of the Confirmation Act of 1978, effective March 3, 1979  
4050 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(11)), is repealed.

4051 Sec. 7054. The District of Columbia Government Comprehensive Merit Personnel Act of  
4052 1978, effective March 3, 1979 (D.C. Law 2-139; D. C. Official Code 1-601.01 *et. seq.*), is  
4053 amended as follows:

4054 (a) Section 406(b)(14) (D.C. Official Code § 1-604.06(b)(14)) is amended to read as  
4055 follows:

4056 “(14) For all employees of the Office of Lottery and Charitable Games, including  
4057 the Executive Director, the personnel authority is the Chief Financial Officer.”.

4058 (b) Section 908(13) (D.C. Official Code § 1-609.08(13)) is repealed.

4059 **SUBTITLE G. OIG AUDIT AMENDMENT**

4060 Sec. 7061. Short title.

4061 This subtitle may be cited as the “Office of Inspector General Audit Amendment Act of  
4062 2016”.

4063 Sec. 7062. Section (3)(e) of the District of Columbia Emergency Relief Act, approved  
4064 August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02(e)), is amended by striking the  
4065 phrase “March 15 thereafter” and inserting the phrase “May 31 thereafter” in its place.

4066 **SUBTITLE H. PARKSIDE PARCEL E AND J TAX ABATEMENT**

4067 Sec. 7071. Short title.

4068 This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments Tax  
4069 Abatement Amendment Act of 2016”.

4070           Sec. 7072. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as  
4071 follows:

4072           (a) The table of contents is amended by striking the phrase “47-4658. Parkside Parcel E  
4073 and J Mixed-Income Apartments; Lot 808, Square 5041 and Lot 811, Square 5056.” and  
4074 inserting the phrase “47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.” in its place.

4075           (b) Section 47-4658 is amended as follows:

4076                   (1) The heading is amended to read as follows:

4077                   “§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.”.

4078                   (2) Subsection (a) is amended to read as follows:

4079                   “(a) Subject to subsection (b) of this section, the real property described as Lot 72 in  
4080 Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement  
4081 equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of  
4082 up to a total maximum amount for each lot of \$300,000 per year for 10 property tax years  
4083 commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that  
4084 specific lot is issued a final certificate of occupancy (“commencement date”) and ending for each  
4085 lot at the end of the 10th full real property tax year following the lot’s commencement date.”.

4086                   (3) Subsections (c) and (d) are amended to read as follows:

4087                   “(c) Notwithstanding any other provision of law and provided that the final certificate of  
4088 occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for  
4089 Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for  
4090 the development of Lot 72 or Lot 811, including private space or building permit fees or public  
4091 space permit fees (“related fees”), shall be refunded and any prospective related fees forgiven.

4092           “(d) The tax abatements and fees and deposits exemptions provided pursuant to this  
4093 section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other  
4094 source applicable to the development of Lot 72 or Lot 811.”.

4095           **SUBTITLE I. SCHEDULE H CONSUMER PRICE INDEX AMENDMENT**

4096           Sec. 7081. Short title.

4097           This subtitle may be cited as the “Schedule H Consumer Price Index Amendment Act of  
4098 2016”.

4099           Sec. 7082. Section 47-1806.06(r) of the District of Columbia Official Code is amended to  
4100 read as follows:

4101           “(r)(1) “The maximum credit amount of \$1000 shall be adjusted annually for inflation  
4102 based on the Consumer Price Index (if the adjustment does not result in a multiple of \$25,  
4103 rounded to the next lowest multiple of \$25).

4104           “(2) The eligibility income threshold of \$50,000 (\$60,000 for eligible senior  
4105 claimants) shall be adjusted annually for inflation based on the Consumer Price Index (if the  
4106 adjustment does not result in a multiple of \$100, rounded to the next lowest multiple of \$100).

4107           “(3) In the case of a negative annual inflation rate based on the Consumer Price  
4108 Index, neither the credit amount of \$1000 nor the eligibility income threshold of \$50,000  
4109 (\$60,000 for eligible senior claimants) shall be decreased.

4110           “(4) For the purposes of this subsection, the term “Consumer Price Index” means  
4111 the all items index of the Consumer Price Index for All Urban Consumers for Washington-  
4112 Baltimore Area, published by the Bureau of Labor Statistics of the United States Department of  
4113 Labor.”.

4114           **SUBTITLE J. TAX SALE RESOURCE CENTER AND DEED CLARIFICATION**

4115           Sec. 7091. Short title.

4116           This subtitle may be cited as the “Tax Sale Resource Center and Deed Clarification  
4117 Amendment Act of 2016”.

4118           Sec. 7092. Chapter 13A of Title 47 of the District of Columbia Official Code is amended  
4119 as follows:

4120           (a) Section 47-1341 is amended as follows:

4121                   (1) Subsection (a)(2) is amended by striking the phrase:

4122                           “Tax Sale Resource Center. Resource Center attorneys provide legal information  
4123 to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings  
4124 from 10:00am to 12:00pm when court is in session. The Resource Center is located in the  
4125 Moultrie Courthouse at 500 Indiana Ave. NW.”.

4126                   (2) Subsection (b-1)(2) is amended by striking the phrase:

4127                           “Tax Sale Resource Center. Resource Center attorneys provide legal  
4128 information to taxpayers and interested parties who do not have their own lawyers on  
4129 Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center  
4130 is located in the Moultrie Courthouse at 500 Indiana Ave. NW.”.

4131                   (b) Section 47-1353.01(b) is amended by striking the phrase:

4132                           “Tax Sale Resource Center. Resource Center attorneys provide legal information  
4133 to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings  
4134 from 10:00am to 12:00pm when court is in session. The Resource Center is located in the  
4135 Moultrie Courthouse at 500 Indiana Ave., NW.”.

4136           (c) Section 47-1382(b) is amended to read as follows:

4137 “(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed  
4138 concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and  
4139 clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser  
4140 shall not be required to pay such prior taxes and liabilities to receive the tax deed.”.

4141 **SUBTITLE K. TAX REVISION COMMISSION IMPLEMENTATION**

4142 Sec. 7101. Short title.

4143 This subtitle may be cited as the “Tax Revision Implementation Amendment Act of  
4144 2016”.

4145 Sec. 7102. Section 47-181(b) of the District of Columbia Official Code is amended as  
4146 follows:

4147 (a) The existing text is designated as paragraph (1).

4148 (b) A new paragraph (2) is added to read as follows:

4149 “(2) If local Fiscal Year 2017 recurring annual revenues included in the quarterly  
4150 revenue estimate issued in September 2016 exceed the annual revenue estimate incorporated in  
4151 the approved budget and financial plan for Fiscal Year 2017, the additional revenue shall be used  
4152 to continue implementation of the TRC Act according to the priority set forth in subsection (c) of  
4153 this section for taxable years beginning or deaths occurring, as applicable, after December 31,  
4154 2017; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the  
4155 TRC Act with the September 2016 estimate.”.

4156 **SUBTITLE L. LIHTC PILOT PROGRAM AMENDMENT**

4157 Sec. 7111. Short title.

4158 This subtitle may be cited as the “LIHTC Pilot Program Initiation Amendment Act of  
4159 2016”.

4160 Sec. 7112. Section 47-4802(a)(2) of the District of Columbia Official Code is amended  
4161 by striking the phrase “tax year 2016” and inserting the phrase “tax year 2017” in its place.

4162 **SUBTITLE M. FISCAL STABILIZATION RESERVE AMENDMENT**

4163 Sec. 7121. Short title.

4164 This subtitle may be cited as the “Fiscal Stabilization Reserve Amendment Act”.

4165 Sec. 7122. Section 47-392.02(j-1) of the District of Columbia Official Code is amended  
4166 as follows:

4167 (a) Paragraph (2) is amended as follows:

4168 (1) Subparagraph (A) is amended by striking the phrase “act; and” and inserting  
4169 the word “act;” in its place.

4170 (2) Subparagraph (B) is amended by striking the period at the end and inserting  
4171 the phrase “; and” in its place.

4172 (3) A new subparagraph (C) is added to read as follows:

4173 “(C) Funding for the appropriations advance to District of Columbia  
4174 Public Schools and District of Columbia Public Charter Schools as authorized by the annual  
4175 budget and financial plan; provided, that any amounts used must be replenished immediately  
4176 upon the approval of the District’s annual budget for that year.”.

4177 (b) A new paragraph (2A) is added to read as follows:

4178 “(2A) The Fiscal Stabilization Reserve Account may be used by the Chief  
4179 Financial Officer to cover cash flow needs; provided, that any amounts used must be replenished  
4180 to the Fiscal Stabilization Reserve Account in the same fiscal year.”

4181 **SUBTITLE N. SPECIAL BUDGET PROVISION REFORM**

4182 Sec. 7131. Short title.

4183 This subtitle may be cited as the “Special Budget Provision Reform Act of 2016”.

4184 Sec. 7132. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as  
4185 follows:

4186 (a) The table of contents is amended by striking the section designations “47-368.01.  
4187 Transfer of dedicated funds to the General Fund.”, “47-368.02. Increase in funds and fees and  
4188 charges.”, and “47-368.03. Reduction in rates for certain excise taxes.”.

4189 (b) Section 47-368.01 is repealed.

4190 (c) Section 47-368.02 is repealed.

4191 (d) Section 47-368.03 is repealed.

4192           **SUBTITLE O. VAULT TAX EXPANSION**

4193           Sec. 7141. Short title.

4194           This subtitle may be cited as the “Vault Tax Expansion Amendment Act of 2016”.

4195           Sec. 7142. Section 305(d) of the District of Columbia Public Space Rental Act, approved  
4196           October 17, 1968 (82 Stat. 1159; D.C. Official Code § 10-1103.04(d)), is amended by adding a  
4197           new paragraph (4) to read as follows:

4198                     “(4) Any vault serving, in whole or in part, real property located at Square 287,  
4199           Lot 812 shall be exempt from vault rent.”.

4200           **SUBTITLE P. WALKER JONES REAL PROPERTY TAX ABATEMENT**

4201           Sec. 7151. Short title.

4202           This subtitle may be cited as the “Walker Jones/Northwest One Unity Health Center Tax  
4203           Abatement Amendment Act of 2016”.

4204           Sec. 7152. Section 47-4619(b) of the District of Columbia Official Code is amended by  
4205           striking the phrase “October 1, 2009 to September 30, 2013” and inserting the phrase “October 1,  
4206           2016, to September 30, 2021” in its place.

4207           **SUBTITLE Q. JUBILEE ONTARIO APARTMENTS REAL PROPERTY TAX**  
4208           **ABATEMENT**

4209           Sec. 7161. Short title.

4210           This subtitle may be cited as the “Jubilee Ontario Apartments Real Property Tax  
4211           Abatement Amendment Act of 2016”.

4212           Sec. 7162. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as  
4213           follows:

4214 (a) The table of contents is amended by adding a new section designation to read as

4215 follows:

4216 “47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.”.

4217 (b) A new section 47-1098 is added to read as follows:

4218 “§47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.

4219 “The portion of Lot 805 in Square 2565, located at 2525 Ontario Road, N.W.

4220 (“Property”) that is used for nonresidential purposes, shall be exempt from real property taxation

4221 so long as the residential portion of the Property continues to be exempt from real property

4222 taxation pursuant to § 47-1005.02.”.

4223 Sec. 7163. The Council of the District of Columbia orders that all real property and deed

4224 recordation taxes, interest, penalties, fees, and other related charges assessed against the real

4225 property located at 2525 Ontario Road, N.W., described as Lot 805, Square 2565 for the period

4226 beginning March 27, 2015 through November 31, 2016 shall be forgiven and that any payments

4227 made shall be refunded to the person who made the payments.

4228 **TITLE VIII. CAPITAL BUDGET**

4229 **SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION**

4230 **APPROVAL**

4231 Sec. 8001. Short title.

4232 This subtitle may be cited as the "Fiscal Year 2017 Capital Project Reallocation Approval

4233 Act of 2016".

4234 Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of

4235 Columbia Official Code, the Council approves the Mayor's request to reallocate \$180,809.546 in

4236 general obligation bond proceeds from District capital projects listed in Table A to the District  
4237 capital projects, in the amounts specified, listed in Table B.

4238 (b) The current allocations were made pursuant to the Fiscal Year 2010 Income Tax  
4239 Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of  
4240 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCR 9265); the Fiscal Year 2012  
4241 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4242 of 2011, effective December 6, 2011 (D.C. Res. 19-315; 58 DCR 10556), the Fiscal Year 2013  
4243 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4244 of 2012, effective October 16, 2012 (D.C. Res.19-635; 59 DCR 12818), the Fiscal Year 2014  
4245 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013,  
4246 effective November 5, 2013 (D.C. Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015  
4247 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4248 of 2014, effective November 28, 2015 (D.C. Res. 20-687; 61 DCR 12738).

Committee of the Whole  
DRAFT print – Bill 21-669  
5/16/2016

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2010A	140,465
Department of General Services	BC1	DGS	Facility Condition Assessment	2012C I.T.	113,644
Department of Parks and Recreation	BSM	DGS	Benning Stoddert Modernization	2012C I.T.	3,124,785
Department of Parks and Recreation	QH7	DPR	Park Improvements - Project Management	2012C I.T.	393,520
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2012C I.T.	529,131
Department of Parks and Recreation	QN4	DGS	Ward 2 Public Park Rehabilitation	2012C I.T.	334,244
District Department of Transportation	ED1	DDOT	Rhode Island Avenue NE Small Area Plan	2012C I.T.	599,509
District Department of Transportation	EDS	DDOT	Great Streets Initiative	2012C I.T.	292,359
District Department of Transportation	STC	DDOT	Streetcars	2012C I.T.	43,409
District of Columbia Public Schools	MO3	DGS	Moten ES Modernization	2012C I.T.	1,565,607
District of Columbia Public Schools	ND4	DGS	Deal JHS Modernization/Renovation	2012C I.T.	11,664
District of Columbia Public Schools	NJ8	DGS	McKinley Modernization	2012C I.T.	11,442
District of Columbia Public Schools	PE3	DGS	Drew ES Modernization/Renovation	2012C I.T.	39,641
Fire and Emergency Management Services	LB7	FEMS	Engine Company 16 Renovation	2012C I.T.	2,268,528
Metropolitan Police Department	ECS	MPD	Automation Of Report Generation & Purchase	2012C I.T.	300,000
Office of the Chief Technology Officer	N60	OCTO	Transportation Infrastructure Modernization	2012C I.T.	481,728
Department of Behavioral Health	XA6	OCTO	St. Elizabeths Info Tech System	2013A G.O.	81,575
Department of Behavioral Health	XA8	DBH	Integrated Care Applications Mgmt	2013A G.O.	145,551
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2013A G.O.	508,089
Department of Healthcare Finance	MPM	DHCF	Medicaid Payment Management System	2013A G.O.	1,313,068
Department of Parks and Recreation	QE5	DGS	ADA Compliance	2013A G.O.	75,757
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2013A G.O.	351,837
Department of Public Works	FS1	DPW	Upgrade To DPW Fueling Sites	2013A G.O.	76,846
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2013A G.O.	1,546,808
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2013A G.O.	2,354,064
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2013A G.O.	1,678,669
District Department of Transportation	ED1	DDOT	Georgetown Streetscape Improvements	2013A G.O.	500,000
District Department of Transportation	FLD	DDOT	Prevention Of Flooding In Bloomingdale/Ledroit Pk	2013A G.O.	39,030
District Department of Transportation	PM0	DDOT	Planning, Management & Compliance	2013A G.O.	148,484
District of Columbia Public Schools	PK3	DGS	Martin Luther King ES Modernization	2013A G.O.	538,150
Office of the Chief Technology Officer	EQ1	OCTO	DC Cable Net	2013A G.O.	83,199
Office of the Chief Technology Officer	N60	OCTO	Transportation Infrastructure Modernization	2013A G.O.	99,732
D.C. Public Library	WOD	DCPL	Woodbridge Library	2013A GO	791,863
Office of the Secretary	AB1	DGS	Archives	2013A GO	784,215
Department of General Services	BC1	DGS	Facility Condition Assessment	2014 A/B GO	25,054
D.C. Public Library	WOD	DCPL	Woodbridge Library	2014C G.O.	2,300,000
Department of Corrections	CEV	DOC	DOC Elevator Refurbishment	2014C G.O.	1,566,292
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2014C G.O.	1,500,000
Department of General Services	BC1	DGS	Facility Condition Assessment	2014C G.O.	950,000
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2014C G.O.	3,927,608
Deputy Mayor for Planning and Economic Development	EBO	DMPED	New Communities	2014C G.O.	9,000,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2014C G.O.	2,500,000
District Department of Transportation	6EQ	DDOT	Equipment Acquisition - DDOT	2014C G.O.	3,526,564
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2014C G.O.	8,000,000
District Department of Transportation	FLD	DDOT	Prevention of Flooding In Bloomingdale/Ledroit Pk	2014C G.O.	1,469,644
Office of the Secretary	AB1	DGS	Archives	2014C G.O.	2,500,000
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2015A G.O.	429,148
D.C. Public Library	CAV	DCPL	Capitol View Library	Pending	4,500,000
D.C. Public Library	CPL	DCPL	Cleveland Park Library	Pending	4,125,000
D.C. Public Library	PAL	DCPL	Palsades Library	Pending	5,700,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	Pending	2,500,000
Deputy Mayor for Planning and Economic Development	STH	DMPED	Strand Theatre	Pending	1,000,000
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	Pending	2,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 22 Firehouse Replacement	Pending	3,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 27 Major Renovation	Pending	2,000,000
Department of Corrections	CEV	DGS	DOC Elevator Refurbishment	Pending	33,708
District of Columbia Public Schools	JOH	DGS	Johnson MS Renovation/Modernization	Pending	2,886,000
District of Columbia Public Schools	NX8	DGS	Coolidge HS Modernization/Renovation	Pending	3,000,000
District of Columbia Public Schools	SG3	DGS	Maintenance Improvements	Pending	7,738,513
State Superintendent of Education	SIS	OSSE	Single State-Wide Student Information System	Pending	1,800,000
Special Education Transportation	BU4	SET	Bus Facility Upgrades	Pending	2,740,000
Special Education Transportation	BU5	SET	DOT GPS System	Pending	1,000,000
Department of Parks and Recreation	FTD	DGS	Fort Davis Recreation Center	Pending	2,000,000
Department of Parks and Recreation	IVY	DGS	Ivy City Community Center	Pending	1,925,000
Department of Parks and Recreation	Q10	DGS	Fort Greble Recreation Center	Pending	1,000,000
Department of Parks and Recreation	Q11	DGS	Hilcrest Recreation Center	Pending	1,500,000
Department of Parks and Recreation	QF4	DGS	Benning Park Recreation Center Rehab	Pending	1,400,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Healthcare Finance	MPM	DHCF	MMIS System Upgrade	Pending	2,300,000
Department of Healthcare Finance	H11	DHCF	District Operated Health Information System	Pending	3,145,040
District Department of Transportation	AW0	DDOT	S Capitol St/Frederick Douglass Bridge	Pending	40,000,000
District Department of Transportation	CDT	DDOT	Railroad Bridges	Pending	10,340
District Department of Transportation	PLU	DDOT	Power Line Undergrounding	Pending	4,000,000
District Department of Transportation	TRF	DDOT	Traffic Operations Center	Pending	1,500,000
Office of the Chief Technology Officer	N90	OCTO	DC Government New Data Center Build-out	Pending	3,000,000
Office of the Chief Technology Officer	N91	OCTO	DC Government Citywide IT Security Program	Pending	1,500,000
Office of the Chief Technology Officer	N92	OCTO	Citywide Disk Based Backup Infrastructure	Pending	445,022
<b>TOTAL</b>					<b>\$180,809,546</b>

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,200,000
District of Columbia Public Schools	GM1	DGS	Major Repairs/Maintenance	N/A	6,100,000
District of Columbia Public Schools	GM3	DGS	High School Labor - Program Management	N/A	5,000,000
District of Columbia Public Schools	NA6	DGS	Ballou SHS	N/A	20,100,000
District of Columbia Public Schools	NR9	DGS	Roosevelt HS Modernization	N/A	15,500,000
State Superintendent of Education	SFF	OSSE	Evans Campus	N/A	2,000,000
Deputy Mayor for Economic Development	AMS	DMPED	McMillan Site Redevelopment	N/A	1,467,000
WMATA	SA5	DDOT	WMATA CIP Contribution	N/A	693,923
Fire and Emergency Management Services	LF2	DGS	FEMS Scheduled Capital Improvements	Pending	2,275,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Parks and Recreation	QE2	DGS	Ridge Road Recreation Center	Pending	9,730,000
Department of Parks and Recreation	QN7	DPR	Park Improvements	Pending	19,000,000
Department of Human Services	CMS	DHS	Case Management System - GO Bond	Pending	14,000,000
District Department of Transportation	CEL	DDOT	Alley Rehab	Pending	3,000,000
WMATA	SA3	DDOT	WMATA Fund - PRIAA	Pending	20,000,000
WMATA	SA5	DDOT	WMATA CIP Contribution	Pending	39,743,623
<b>TOTAL</b>					<b>\$180,809,546</b>

4250  
4251

**SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION**

4252 **AMENDMENT**

4254 Sec. 8011. Short title

4255 This subtitle may be cited as the “Capital Project Review and Reconciliation Amendment  
4256 Act of 2016”.

4257 Sec. 8012. The Capital Project Support Fund Establishment Act of 2009, effective March  
4258 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq.*), is amended by adding a new  
4259 section 1267 to read as follows:

4260 “Sec. 1267. Any surplus capital budget, notwithstanding budget backed by Master Lease  
4261 financing (fund detail 0302), that the Director of Capital Improvements identifies following the  
4262 30-day reconciliation period shall be transferred to the Alley Rehabilitation Project and be made  
4263 available for use, or reprogramming to authorized capital projects. Any funds backed by Master  
4264 Lease budget shall be transferred to the WMATA Fund Project (SA311C) and be made available  
4265 for reprogramming to authorized capital projects.”.

4266 **SUBTITLE C. CAPITAL PROJECT RESCISSIONS**

4267 Sec. 8021. Short title.

4268 This subtitle may be cited as the “Fiscal Year 2017 Capital Project Rescission Approval  
4269 Act of 2016”.

4270 Sec. 8022. In Fiscal Year 2016, the Chief Financial Officer shall rescind capital project

4271 allotments as set forth in the following tabular array:

Owner Agency	Project No	Project Title	Impl Agency	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	N1401B	GOVERNMENT CENTERS	AM0	0300	(7,239.86)
	PL102C	ELEVATOR POOL	AM0	0300	(56,361.94)
	PL105C	ARCHIVES RECORDER OF DEEDS	AM0	0300	(356,004.03)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	AM0	0300	(89,931.23)
AT0 - OFFICE OF THE CHIEF FINANCIAL OFFICER	BF301C	SOAR MODERNIZATION	AT0	0300	(6,000,000.00)
BD0 - OFFICE OF PLANNING	PLN38C	SUSTAINABLE DC - AGENCY COMPETITION FUND	BD0	0300	(2,705,868.79)
				0301	(50,000.00)
CE0 - DC PUBLIC LIBRARY	BEN37C	NEW BENNING BRANCH LIBRARY	CE0	0300	(2,452.89)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	CR0	0300	(74,535.00)
				0301	(1,169.28)
				9000	(12,590.35)
DB0 - DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT	04002C	PROPERTY ACQUISITION & DISPOSITION	DB0	0301	(221,275.70)
	ANC02C	HOUSING RESOURCE CENTER DATABASE	ELC	0302	(159,619.55)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	ASC13C	SKYLAND DEVELOPMENT	EB0	0300	(1,235,221.00)
	EB008C	NEW COMMUNITIES	EB0	0300	(16,100,000.00)
FA0 - METROPOLITAN POLICE DEPARTMENT	PEQ22C	SPECIALIZED VEHICLES - MPD	FA0	0300	(230,334.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB737C	ENGINE 5 COMPLETE RENOVATION	AM0	0300	(3,790.81)
	LE337C	ENGINE 16 RENOVATION	AM0	0300	(3,018.88)
HA0 - DEPARTMENT OF PARKS AND RECREATION	DPR08C	MASTER LEASE FOR VEHICLE PURCHASE	ELC	0302	(22,078.39)
	FTLPKC	FORT LINCOLN PARK	AM0	0300	(3,200,000.00)
				0301	(750,000.00)
	QB338C	ROPER / DEANWOOD RECREATION CENTER	AM0	0300	(54,775.22)
	QD137C	CAMP RIVERVIEW REHABILITATION	AM0	0300	(0.09)
	QH750C	PARK IMPROVEMENTS - PROJECT MANAGEMENT	HA0	0300	(200,000.00)
	QI438C	JUSTICE PARK	AM0	0300	(215.36)
	QI937C	ROSEDALE RECREATION CENTER	AM0	0300	(1,307.28)
	QM801C	BENNING TERRACE	AM0	0300	(0.20)
	QN701C	ATHLETIC FIELD IMPROVEMENTS	AM0	0300	(62.00)
	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	AM0	0300	(1,265.13)

	RG001C	GENERAL IMPROVEMENTS - DPR	AM0	0300	(200,000.00)
	RG006C	SWIMMING POOL REPLACEMENT	AM0	0300	(670,713.69)
				0301	(312,300.00)
	RG008C	NOYES FIELD	AM0	0300	(18,700.00)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	UMC01C	EAST END MEDICAL CENTER	AM0	0300	(3,269,118.89)
JA0 - DEPARTMENT OF HUMAN SERVICES	JAPMSC	PRINTING AND MAILING PROCESSING SYSTEM	ELC	0302	(433,348.00)
	THK16C	TEMPORARY AND PERMANENT SUPPORTIVE HOUSI	AM0	0300	(3,000,000.00)
JZ0 - DEPARTMENT OF YOUTH REHABILITATION SVCS	SH632C	REPLACEMENT OF YES! TO FAMCARE	JZ0	0301	(14,283.37)
KA0 - DEPARTMENT OF TRANSPORTATION	6EQ02C	EQUIPMENT ACQUISITION - DDOT	KA0	0302	(2,501,614.72)
	AD306C	PEDESTRIAN & BICYCLE SAFETY ENHANCEMENTS	KA0	0330	(2,000,000.00)
	AD310C	SHERMAN STREET	KA0	0300	(3,596.14)
	BR005C	H STREET BRIDGE	KA0	0300	(5,000,000.00)
	CA305C	LOCAL ST REHAB SCOPE & DEV	KA0	0330	(226.66)
	CE307C	BRIDGE MAINTENANCE	KA0	0330	(1,500,000.00)
	CK301C	ADVANCED DESIGN & PROJECT DEVT	KA0	0330	(176.84)
	CKT59A	NY AVE SOUTH DAKOTA-DC LINE NH-1108(19)	KA0	0300	(52,927.14)
	ED302C	LOCAL STREETS PARKING STUDIES	KA0	0330	(227,753.29)
	ED303C	LOCAL STREETS TRAFFIC STUDIES	KA0	0330	(130,671.02)
	EDL06C	MINNESOTA AVE. STREETScape IMPROVEMENTS	KA0	0300	(16,667.00)
	EDL07C	HOWARD THEATER STREETScape IMPROVEMENTS	KA0	0300	(4,540.80)
	EDS01C	GREAT STREETS	KA0	0333	(126,721.78)
	EDS02C	GREAT STREETS	KA0	0300	(283,404.34)
				0333	(264,317.78)
	EDS03C	GREAT STREETS	KA0	0333	(14.68)
	EDS04C	GREAT STREETS	KA0	0333	(85,240.90)
	FLD01C	PREVENTION OF FLOODING IN BLOOMINGDALE/L	KA0	0300	(5,100,000.00)
KG0 - DEPARTMENT OF ENERGY AND ENVIRONMENT	SUS04C	SUSTAINABLE DC FUND-2	KG0	0300	(104,291.56)
TO0 - OFFICE OF THE CHIEF TECHNOLOGY OFFICER	N9001C	DC GOVERNMENT NEW DATA CENTER BUILD-OUT	TO0	0300	(9,500,000.00)
<b>Grand Total</b>					<b>(66,359,745.58)</b>

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4273 **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**

4274 **AMENDMENTS AND TRANSFERS**

4275 **SUBTITLE A. DESIGNATED FUND TRANSFERS**

4276 Sec. 9001. Short title.

4277 This subtitle may be cited as the “Designated Fund Transfer Act of 2016”.

4278           Sec. 9002. Notwithstanding any provision of law limiting the use of funds in the accounts  
4279 listed in the following chart, the Chief Financial Officer shall transfer the identified amounts  
4280 from certified fund balances in those accounts to the General Fund of the District of Columbia as  
4281 described below:

4282                     (1) \$38.4 million shall be made available in Fiscal Year 2017;

4283                     (2) \$1.4 million shall be made available in Fiscal Year 2020;

4284                     (3) \$7.2 million shall be allocated to Pay-as-you-go capital in Fiscal Year 2017 in  
4285 accordance with the budget and financial plan:

4286

<b>DESIGNATED FUND BALANCE - OVERVIEW</b>			
Agency Code	Fund No.	Fund Name	Amount
<b>Budget Support Act:</b>			
AEO		Pay for Success Contract Fund	\$2,699,287
		<b>Total</b>	<b>\$2,699,287</b>
<b>Budget Reserves:</b>			
ENO		Micro Loan/Small Business Capital Access Fund	\$228,362
ENO		Streetscape Loan Relief Fund	\$1,584,297
		<b>Total</b>	<b>\$1,812,659</b>
<b>Dedicated Taxes:</b>			
HT0	0111	Healthy DC Fund	\$6,908,762
LQ0	0110	Dedicated Taxes	\$881,555
		<b>Total</b>	<b>\$7,790,317</b>
<b>Purpose Restrictions and Other Special Purposes:</b>			
AT0	0606	Recorder of Deeds Surcharge	\$3,000,000
AT0	6115	OFT Central Collection Unit Fund	\$1,600,000
AT0	0602	Payroll Service Fees	\$11,198
BE0	0639	Agreement with Independent Agencies	\$34,682
CI0	0600	Special Purpose Revenue	\$15,332
CRO	6030	Green Building Fund	\$1,689,850

CR0	6013	Basic Business License Fund	\$268,332
CR0	6020	Board of Engineers Fund	\$697,203
CR0	6040	Corporate Recordation Fund	\$1,182,879
CR0	0645	Vending Regulations Fund	\$1,284,622
CR0	6010	OPLA - Special Account	\$26,999
CR0	6006	Nuisance Abatement	\$44,862
CR0	6009	Real Estate Appraisal Fee	\$30,564
CT0	0600	Cable Franchise Fees	\$7,113,314
EBO	0630	Fund from NEDCO and EDFC	\$562,550
EBO	0419	H St Retail Priority Area Grant Fund	\$3,272,213
HCO	0632	Pharmacy Protection	\$2,100,000
HCO	0644	Spay and Neutering Fund	\$7,215
HCO	0661	ICF/MR Fees and Fines	\$154,086
HT0	0631	Medicaid Collections - 3rd Party Liability	\$314,173
HT0	0605	SHPDA Fees	\$200,000
HT0	0643	Board of Medicine	\$600,000
JAO	0603	SSI Payback	\$1,000,000
KA0	6901	DDOT Enterprise Fund - Non Tax Revenues	\$3,000,000
SRO	2911	Foreclosure Mediation Fund (Temporary)	\$340,500
TO0	0602	DC Net Service Support	\$4,800,000
		<b>Total</b>	<b>\$33,350,574</b>
<b>TOTAL</b>			<b>\$45,652,837</b>

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4288           Sec. 9003. The Chief Financial Officer shall transfer the entire fund balance of the GD0 –  
4289 Credit Enhancement, Geneva Funds account to fund 0610, the Charter School Credit  
4290 Enhancement Fund, within the Office of the State Superintendent of Education.

4291           Sec. 9004. Applicability.

4292           This subtitle shall apply as of the effective date of the Fiscal Year 2017 Budget Support  
4293 Emergency Act of 2016 (Enrolled version of Bill 21-\_\_\_\_).

4294           **SUBTITLE B. FIXED COST COMMODITY RESERVE AMENDMENT**

4295           Sec. 9010. Short title.

4296 This subtitle may be cited as the “Fixed Cost Commodity Reserve Amendment Act of  
4297 2016”.

4298 Sec. 9011. Section 47-368.04 of the District of Columbia Official Code is amended as  
4299 follows:

4300 (a) Subsection (b) is amended by striking the phrase “and rent” and inserting the phrase  
4301 “and rent; provided, that the amount in the Fund shall not exceed \$5 million in any fiscal year” in  
4302 its place.

4303 (b) A new subsection (c) is added to read as follows:

4304 “(c) Amounts in the Fund shall be used only for the purposes in subsection (b) and shall  
4305 not be available for other purposes or be transferred to other funds or accounts.”.

4306 **TITLE X. APPLICABILTY; FISCAL IMPACT; EFFECTIVE DATE**

4307 Sec. 10001. Applicability.

4308 Except as otherwise provided, this act shall apply as of October 1, 2016.

4309 Sec. 10002. Fiscal impact statement.

4310 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
4311 impact statement required by section 4a) of the General Legislative Procedures Act of 1975,  
4312 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4313 Sec. 10003. Effective date.

4314 This act shall take effect following approval by the Mayor (or in the event of veto by the  
4315 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
4316 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
4317 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
4318 Register.

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A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To enact and amend provisions of law necessary to support the Fiscal Year 2017 budget.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

174 act may be cited as the “Fiscal Year 2017 Budget Support Act of 2016”.

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

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

177 Sec. 1001. Short title.

178 This subtitle may be cited as the “Bonus and Special Pay Act of 2016”.

179 Sec. 1002. Bonus and special pay; generally.

180 (a) Unless authorized pursuant to this subtitle, no funds shall be used to support the  
181 categories of bonus pay or special awards pay. The prohibition on the use of funds under this  
182 subtitle shall include funds transferred by the District to a quasi-governmental agency or entity  
183 and to funds transferred by the District through a grant.

184 (b) Notwithstanding subtitle (a) of this section, an agency or entity may use funds to  
185 support the categories of bonus pay or special awards pay if the agency or entity establishes a  
186 program as required by section 1003 and meets the other requirements as provided by this  
187 subtitle.

188 Sec. 1003. Bonus and special pay; Performance Based Rewards Program.

189 (a) In order to use funds for bonus pay or special awards pay, a District agency, office, or  
190 entity must establish a Performance Based Rewards Program (“Program”) that is approved by  
191 the personnel authority for the relevant agency, office, or entity.

192 (b) A Program established pursuant to this subtitle must include detailed regulations for  
193 the payment of bonus pay or special pay awards to employees that contain, at a minimum, the  
194 following requirements:

195 (1) Limits the authorization period for bonus pay and special pay awards to within  
196 the fourth quarter of the fiscal year;

197 (2) Limits the issuance of bonus pay or special awards pay to a one-time basis,  
198 without any promise or suggestion of continuing payments;

199 (3) Limits the issuance of bonus pay or special awards pay to employees on an  
200 individual basis, and not to a group or class of employees unless each of the employees in the  
201 group or class individually warrants such payment;

202 (4) Requires any issuance of bonus or special awards pay to be based on  
203 performance, with the employee exceeding expectations of the supervisor or employer;

204 (5) Requires that an employee have had a performance evaluation no more than  
205 90 days prior to the issuance of a bonus pay or special award pay;

206 (6) Requires written justification for the bonus pay or special awards pay by the  
207 employees immediate supervisor or the head of the agency or office

208 (7) Caps the amount of bonus pay or special awards pay that can be received at 10  
209 percent of the employee's base rate of pay or, for an employee paid at an hourly rate, does not  
210 exceed 10 percent of the employee's wages for the 12 months preceding the award; and

211 (8) Limits the availability of any bonus pay or special awards pay to once per  
212 calendar year and prohibits an employee from receiving a bonus payment and special pay award  
213 within the same calendar year.

214 (c) Any Program for an Executive branch agency or independent agency shall be  
215 approved by the District of Columbia Human Resources Department prior to implementation.

216 Sec. 1004. Bonus and special pay; reporting requirements.

217 In addition to any other requirements under this subtitle, any bonus pay or special awards  
218 pay made under section 1002(b) of this section shall be followed, within 60 days of the payment,  
219 by notification in writing to the relevant personnel authority of the issuance of a bonus payment  
220 or special awards payment and a description of that award that includes the employee's name,  
221 title, salary, award amount, and detailed justification for the award.

222 Sec. 1005. Bonus or special pay; subordinate agency heads ineligible.

223 Any authorization under this subtitle for the use of funds to support the categories of  
224 bonus pay or special awards pay shall not extend to a subordinate agency head in the Executive

225 Service established by subchapter X-A of the District of Columbia Comprehensive Merit  
226 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
227 610.51 et seq.).

228 Sec. 1006. Bonus or special pay; exceptions to prohibition.

229 (a) Notwithstanding the prohibition in section 1002, funds may be used to pay:

230 (1) Retirement awards;

231 (2) Hiring bonuses for difficult-to-fill positions;

232 (3) Additional income allowances for difficult-to-fill positions;

233 (4) Agency awards or bonuses funded by private grants or donations;

234 (5) Employee awards pursuant to section 1901 of the District of Columbia Government

235 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.

236 Official Code § 1-619.01);

237 (6) Safe-driving awards;

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

239 (8) Suggestion or invention awards;

240 (9) Quality steps;

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

242 (11) Any other award or bonus required by an existing contract or collective bargaining

243 agreement that was entered into before the effective date of this subtitle.

244 (b) Notwithstanding the prohibition in section 1002 or any other provision of law, no

245 restrictions on the use of funds to support the categories of special awards pay (comptroller

246 subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply to employees of the

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

249 (c) Notwithstanding the prohibition in section 1002 or any other provision of law,  
250 the Office of the Attorney General shall pay employees of the Office of the Attorney General all  
251 performance allowance payments to which they are entitled or may become entitled under any  
252 approved compensation agreement negotiated between and executed by the Mayor and  
253 Compensation Unit 33 of the American Federation of Government Employees, Local 1403,  
254 AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments  
255 are necessary to satisfy the requirements of section 857 of the District of Columbia Government  
256 Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C.  
257 Official Code § 1-608.57), which requires the Attorney General’s performance management  
258 system to link pay to performance.

259 (d) Notwithstanding the prohibition in section 1002, the Office of the Attorney General  
260 and the subordinate agencies shall pay their employees all performance allowance payments to  
261 which they are entitled.

262 **SUBTITLE B. BEGA LOBBYIST FEE AND NOMINEE REVIEW PERIOD**

263 **AMENDMENT**

264 Sec. 1011. Short title.

265 This subtitle may be cited as the “BEGA Lobbyist Fee and Nominee Review Period  
266 Amendment Act of 2016”.

267 Sec. 1012. The Board of Ethics and Government Accountability Establishment and  
268 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-  
269 124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

270 (a) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

271 (1) Subsection (b)(1) is amended by striking the phrase “45-day” both times it  
272 appears and inserting the phrase “90-day” in its place.

273 (2) Subsection (c) is amended by striking the phrase “Chairman of the Ethics  
274 Board” and inserting the phrase “Chairperson of the Ethics Board” in its place.

275 (b) Section 205 (D.C. Official Code § 1-1162.05) is amended by striking the word  
276 “Chairman” both times it appears and inserting the word “Chairperson” in its place.

277 (c) Section 227(b)(2) (D.C. Official Code § 1-1162.27(b)(2)), is amended to read as  
278 follows:

279 “(2) The registration fee for lobbyists who lobby solely for nonprofit  
280 organizations shall be \$50. For the purposes of this paragraph, the term “nonprofit organization”  
281 means an organization exempt from taxation under section 501(c)(3) of the Internal Revenue  
282 Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).”.

283 **SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT**

284 Sec. 1021. Short title.

285 This subtitle may be cited as the “Employees’ Compensation Fund Clarification  
286 Amendment Act of 2016”.

287 Sec. 1022. Section 2342 of the District of Columbia Government Comprehensive Merit  
288 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
289 623.42), is amended as follows:

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

291 (1) Paragraph (1) is repealed.

292 (2) Paragraph (2) is amended by striking the phrase “expenses, except  
293 administrative expenses, authorized by this title or any extension or application thereof, except as  
294 otherwise provided by this subtitle or other statute.” and inserting the phrase “expenses incurred  
295 to implement the provisions of this act.” in its place.

296 (3) Paragraph (3) is repealed.

297 (b) Subsection (b) is repealed.

298 Sec. 1023. Section 1022(a) shall apply as of October 1, 2008.

299 **SUBTITLE D. CAPTIVE INSURANCE AGENCY BUDGET TECHNICAL**

300 **AMENDMENT**

301 Sec. 1031. Short title.

302 This subtitle may be cited as the “Captive Insurance Agency Budget Technical  
303 Amendment Act of 2016”.

304 Sec. 1032. The Captive Insurance Agency Establishment Act of 2008, effective July 18,  
305 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.81 *et seq.*), is amended as follows:

306 (a) Section 3 (D.C. Official Code § 1-307.82) is amended as follows:

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

308 “(2) Provide insurance for District real property assets and District personal  
309 property assets.”.

310 (2) Subsection (c) is amended to read as follows:

311 “(c) The liability of the Agency for medical malpractice liability, property insurance  
312 policies, and any other policies provided for pursuant to this act shall be limited to the funds in  
313 the Captive Trust Fund.”.

314 (b) Section 4(a) (D.C. Official Code § 1-307.83(a)) is amended as follows:

315 (1) Paragraph (1) is amended by striking the phrase “By delegation from the  
316 Mayor, to exercise” and inserting the word “Exercise” in its place.

317 (2) Paragraph (4A) is amended by striking the word “property”.

318 (c) Section 6(i)(2A) (D.C. Official Code § 1-307.85(i)(2A)) is amended by striking the  
319 word “property”.

320 (d) Section 8(b)(4A) (D.C. Official Code § 1-307.87(b)(4A)) is amended to read as  
321 follows:

322 “(4A) Establish procedures for the offering of insurance for District real property  
323 assets and District personal property assets;”.

324 (e) Section 11(a)(2) (D.C. Official Code § 1-307.90(a)(2)) is amended to read as follows:

325 “(2) Insurance for the benefit of the District for District real property assets and  
326 District personal property assets consistent with coverage offered in the market.”.

327 (f) Section 12(b) (D.C. Official Code § 1-307.91(b)) is amended as follows:

328 (1) Paragraph (5) is amended by striking the word “and” at the end.

329 (2) Paragraph (6) is amended by striking the period and inserting the phrase “;  
330 and” in its place.

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

332 “(7) Beginning with payments made from the Fund on or after December 1, 2014,  
333 the purchase of insurance on behalf of the District of Columbia government.”.

334 (g) Section 13 (D.C. Official Code § 1-307.92) is amended to read as follows:

335 “Sec. 13. Exemption from certain laws:

336 “The Agency shall not be subject to the:

337 “(1) Small and Certified Business Enterprise Development and Assistance Act of  
338 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*);

339 “(2) Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
340 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*); or

341 “(3) District of Columbia Government Comprehensive Merit Personnel Act of  
342 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*).”.

343 Sec. 1033. Section 40 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat.  
344 1080; D.C. Official Code § 31-2502.40), is amended by adding a new subsection (c) to read as  
345 follows:

346 “(c)(1) Each agent or broker engaged by the District of Columbia government to procure  
347 insurance on its behalf shall be exempt from the requirement, as set forth in subsection (a) of this  
348 section, to pay the 2 per centum of the amount of the gross premiums upon all kinds of policies  
349 procured by the agent or broker on behalf of the District of Columbia government.

350 “(2) To claim this exemption, the agent or broker shall include a statement  
351 identifying, for each item enumerated in the affidavit required by subsection (a) of this section,  
352 the portion allocated to policies procured on behalf of the District of Columbia government.

353 “(3) The exemption provided in this subsection shall not be construed to exempt  
354 any agent or broker from any other requirement imposed by this section.”.

355 **SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS**

356 Sec 1041. Short title.

357 This subtitle may be cited as the “Public-Private Partnerships Amendment Act of 2016”.

358 Sec. 1042. The Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C.  
359 Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

360 (a) Section 105(c) (D.C. Official Code § 2-272.04(c)) is amended by striking the phrase  
361 “sections 107 and 109” and inserting the phrase “this act” in its place.

362 (b) Section 108(f) (D.C. Official Code § 2-273.03(f)) is amended by striking the phrase  
363 “response period” and inserting the phrase “evaluation period as part of the report submitted to  
364 the Council pursuant to section 114(a)(1)” in its place.

365 (c) Section 109(b)(2) (D.C. Official Code § 2-273.04(b)(2)) is amended by striking the  
366 phrase “the unsolicited proposal.” and inserting the phrase “notice of the favorable evaluation of  
367 the unsolicited proposal, including a link to where a copy of the proposal may be publicly  
368 accessed on the Internet,” in its place.

369 (d) Section 301(a) (D.C. Official Code § 2-274.01(a)) is amended as follows:

370 (1) Paragraph (1) is amended by striking the phrase “projects; and” and inserting  
371 the phrase “projects;” in its place.

372 (2) Paragraph (2) is amended by striking the phrase “agreement.” and inserting  
373 the phrase “agreement; and” in its place.

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

375 “(3) Rules to address surety and bonding requirements of public-private  
376 partnership projects, including consistent baseline requirements across projects.”.

377 Sec. 1043. Section 105(c)(19) of the Procurement Practices Reform Act of 2010,  
378 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(19)), is amended by  
379 striking the phrase “titles VII and X” and inserting the phrase “title X” in its place.

380 **SUBTITLE F. OIG BUDGET PROCESS CLARIFICATION AMENDMENT**

381 Sec. 1051. Short title.

382 This subtitle may be cited as the “Office of the Inspector General Budget Process  
383 Clarification Amendment Act of 2016”.

384 Sec. 1052. Section 208(a)(2)(A) of the District of Columbia Procurement Practices Act  
385 of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-  
386 301.115a(a)(2)(A)), is amended as follows:

387 (a) Strike the phrase “without revision but subject to recommendations.” and insert the  
388 phrase “without revision but subject to recommendations, including recommendations on  
389 reallocating any funds from the Inspector General’s estimates to other items in the District  
390 budget.” in its place.

391 (b) Strike the phrase “Notwithstanding any other provision of such Act, the Council may  
392 comment or make recommendations concerning such estimates, but shall have no authority to  
393 revise such estimates.”.

394 Sec. 1053. Applicability.

395 This subtitle shall apply as of March 24, 2016.

396 **SUBTITLE G. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY**

397 Sec. 1061. Short title.

398 This subtitle may be cited as the “Use of Official Vehicles During an Emergency  
399 Amendment Act of 2016”.

400 Sec. 1062. Section 3602 of the Restrictions on the Use of Official Vehicles Act of 2000,  
401 effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204), is amended by  
402 adding a new subsection (e) to read as follows:

403 “(e)(1) Notwithstanding any other provision of this section, during an emergency  
404 declared pursuant to section 5 of the District of Columbia Public Emergency Act of 1980,

405 effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304), the Mayor may  
406 authorize an officer or employee of the Executive Office of the Mayor, the Office of the City  
407 Administrator, the Homeland Security and Emergency Management Agency, or the Metropolitan  
408 Police Department to use an official vehicle; provided, that the officer or employee may use the  
409 official vehicle only in the performance of the officer’s or employee’s duties and only to conduct  
410 official business.

411 “(2) Authorization provided pursuant to this subsection shall expire after 15 days  
412 or the end date of the declared emergency, whichever occurs later.

413 “(3) No later than 60 days after the end date of a declared emergency, the Mayor  
414 shall submit to the Council a report listing the following information for each officer or  
415 employee whom the Mayor authorized to use an official vehicle pursuant to this subsection:

416 “(A) The officer or employee’s name;

417 “(B) The officer or employee’s title and agency;

418 “(C) The length of time for which the Mayor authorized the officer or  
419 employee to use an official vehicle; and

420 “(D) A detailed justification of the necessity for the officer or employee to  
421 have access to and use an official vehicle.”.

422 **SUBTITLE H. BALLOT ACCESS MODERNIZATION**

423 Sec. 1071. Short title.

424 This subtitle may be cited as the “Ballot Access Modernization Amendment Act of  
425 2016”.

426 Sec. 1072. The District of Columbia Election Code of 1955, approved August 12, 1955  
427 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

428 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs  
429 (29) and (30) to read as follows:

430 “(29) “Mobile application” means specialized software, designed for a mobile  
431 device, in which electronic signatures are collected on an electronic petition.

432 “(30) “Mobile device” means a handheld, portable, wireless computing device,  
433 including a tablet computer or mobile phone.”.

434 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

435 (1) Paragraph (17) is amended by striking the phrase “; and” and inserting a  
436 semicolon in its place.

437 (2) Paragraph (18) is amended by striking the period and adding the phrase “;  
438 and” in its place.

439 (3) A new paragraph (19) is added to read as follows:

440 “(19)(A) Obtain or develop a mobile application that:

441 “(i) Connects the user to the Board’s computerized voter  
442 registration list to immediately confirm that a petition signer is a registered qualified elector;

443 “(ii) Maintains an up-to-date count of the number of  
444 electronic signatures collected; and

445 “(iii) Allows signed petitions to be printed out for  
446 submission to the Board;

447 “(B) No later than October 1, 2017, implement a pilot program that  
448 provides a limited number, as determined by the Board, of candidates, qualified petition  
449 circulators, and proposers with the option to use a mobile application, in addition to the paper

450 circulation process, to gather electronic signatures on a mobile device registered with the Board  
451 for the June 2018 Primary Election;

452 “(C) For the November 2018 General Election, and all subsequent  
453 elections, make a mobile application available to all candidates, qualified petition circulators,  
454 and proposers to install on a mobile device registered with the Board;

455 “(D) Issue rules to implement the use of a mobile application for all  
456 elections, including how to register a mobile device with the Board in order to utilize the mobile  
457 application, provided that such rules shall require signed petitions from the mobile application to  
458 be printed out and submitted to the Board.”.

459 (4) A new subsection (l) is added to read as follows:

460 “(l) For purposes of implementing the duties under subsection (a)(19) of this section, the  
461 Board is authorized to loan a mobile device to a candidate, qualified petition circulator, or  
462 proposer to utilize the mobile application. The Board is authorized to charge a reasonable  
463 refundable deposit for the use of the mobile device.”.

464 (c) Section 16(g) (D.C. Official Code § 1-1001.16(g)) is amended as follows:

465 (1) Strike the phrase “same size as the original.” and insert the phrase “same size  
466 as the original or shall utilize the mobile application made available under section 5(19).” in its  
467 place.

468 (2) Strike the phrase “ward numbers, and shall have printed on it, in a manner  
469 prescribed by the Board, the following:” and insert the phrase “ward numbers.” in its place.

470 (3) A new sentence is added at the end to read as follows:

471 “Each petition sheet shall have printed on it, and each mobile application shall  
472 electronically display, the following information:”.

473 (d) Section 17(e) (D.C. Official Code § 1-1001.17(e)) is amended as follows:

474 (1) Strike the phrase “as the original” and insert the phrase “as the original or  
475 shall utilize the mobile application made available under section 5(19)” in its place.

476 (2) Strike the phrase “ward numbers, and shall have printed on it the following:”  
477 and insert the phrase “ward numbers.” in its place.

478 (3) A new sentence is added at the end to read as follows:

479 “Each petition sheet shall have printed on it and each mobile application  
480 shall electronically display the following information:”.

481 Sec. 1073. Subsection 1603.8 of Chapter 16 of Title 3 of the District of Columbia  
482 Municipal Regulations is repealed.

483 **SUBTITLE I. DIRECTOR OF THE OFFICE OF COMMUNITY AFFAIRS**

484 **GRANT-MAKING**

485 Sec. 1081. Short title.

486 This subtitle may be cited as the “Mayor’s Office of Community Affairs Limited Grant-  
487 making Amendment Act of 2016”.

488 Sec. 1082. (a) In Fiscal Year 2017, the Director of the Office of Community Affairs  
489 (“Director”) shall have grant-making authority for the purpose set forth in subsection (b) of this  
490 section.

491 (b)(1) In Fiscal Year 2017, the Director shall award a grant of \$75,405 to provide  
492 housing-related assistance to members of the Caribbean population of the District.

493 (2) Before issuing the grant, the Director shall consult with the Mayor’s Advisory  
494 Commission on Caribbean Community Affairs regarding grant solicitation.

495           **SUBTITLE J. NEW COLUMBIA STATEHOOD COMMISSION**

496           **DISCRETIONARY FUNDING**

497           Sec. 1091. Short title.

498           This subtitle may be cited as the “New Columbia Statehood Commission Discretionary  
499 Fund Amendment Act of 2016”.

500           Sec. 1092. The District of Columbia Statehood Constitutional Convention Initiative of  
501 1979, effective May 2, 2015 (D.C. Law 20-271; D.C. Official Code § 1-129.31 *et seq.*), is  
502 amended to read as follows:

503           (a) Section 32(c) (D.C. Official Code § 1-129.32(c)) is amended as follows:

504                   (1) Designate the existing text as paragraph (1).

505                   (2) Insert a new paragraph (2) to read as follows:

506                           “(2)(A) Except as provided under subparagraph (B) under this paragraph, the  
507 Commission is authorized to provide for the expenditure of up to \$24,000 per year from the Fund  
508 for the purposes provided in section 35(a) of this act.

509                                   “(B) For Fiscal Year 2016, the Commission is authorized to provide for  
510 the expenditure of up to \$12,000.”.

511           (b) Section 35(a) (D.C. Official Code § 1-129.35(a)) is amended to read as follows:

512                   “(a) Except as provided in subsection (b) of this section, a member of the Statehood  
513 Delegation shall use New Columbia Statehood Fund monies for:

514                           “(1) Any expense closely and directly related to the operation of his or her office;

515 and

516                           “(2) Any expense that the Commission deems necessary for appropriate purposes;  
517 provided, that the Commission’s determination of necessity shall be final and conclusive, and its

518 certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this  
519 section.”.

520 **SUBTITLE K. PDS CREDITABLE SERVICE CLARIFICATION**

521 Sec. 1101. Short title.

522 This subtitle may be cited as the “Public Defender Service Creditable Service  
523 Clarification Amendment Act of 2016”.

524 Sec. 1102. Section 2604(1) of the District of Columbia Government Comprehensive  
525 Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27, D.C. Official Code § 1-  
526 626.04(1)), is amended by adding a new subparagraph (C) to read as follows:

527 “(C)(i) For purposes of vesting pursuant to section 2610(b), and  
528 notwithstanding any other provision of law or any prior agreement with the Public  
529 Defender Service for the District of Columbia, creditable service with the District for  
530 employees of the Public Defender Service of the District of Columbia hired on or after  
531 October 1, 1987 and before September 16, 1991 shall be calculated to include service  
532 beginning as of the commencement of employment.

533 “(ii) This subparagraph shall apply as of October 1, 1987.”.

534 **SUBTITLE L. RETIREMENT SURVIVOR EQUITY BENEFIT**

535 Sec. 1111. Short title.

536 This subtitle may be cited as the “Equity in Survivor Benefits Clarification Amendment  
537 Act of 2016”.

538 Sec. 1112. Section 4 of the District of Columbia Spouse Equity Act of 1988, effective  
539 March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.03), is amended by adding a new  
540 subsection (f) to read as follows:

541           “(f) The Mayor is not obligated to comply with a qualifying court order issued after an  
542 employee’s death.”.

543           **SUBTITLE M. ARCHIVES EMINENT DOMAIN AUTHORITY**

544           Sec. 1121. Short title.

545           This subtitle may be cited as the “Archives Eminent Domain Authority Act of 2016”.

546           Sec. 1122. Findings.

547           The Council finds that:

548                   (1) The District of Columbia Office of Public Records and Archives (“the  
549 Archives”) is currently headquartered at 1300 Naylor Court, N.W.

550                   (2) The Fiscal Year 2017 Budget Local Portion Adoption Act of 2016, as  
551 introduced on March 24, 2016 (Bill 21-668), provides funding to allow the Archives to relocate  
552 to a site that meets several criteria outlined in a report commissioned by the Department of  
553 General Services, which found that the preferred alternative would be a stand-alone, purpose-  
554 built, new facility requiring approximately 135,000 gross building square feet.

555                   (2) The Archives building is to be a mix of high-quality, environmentally  
556 controlled storage space, and several thousand square feet of space for the public to access the  
557 Archives, office space, and meeting space.

558                   (3) The District desires to relocate the Archives to a new facility to be developed  
559 on Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 (“W Street Site”)  
560 that, combined, comprise approximately 147,000 square feet.

561                   (4) The W Street Site is currently occupied by a private trash transfer station.

562                   (5) The trash transfer station is a blighting factor in Brentwood and its  
563 surrounding communities.

564 (6) Residents of Brentwood and the surrounding communities have concerns  
565 regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin,  
566 and have complained that there is an increased incidence of health concerns.

567 (7) The W Street Site trash transfer station continues to operate as an open-air  
568 trash transfer station which allows its pungent odors to reach much farther than they would if the  
569 facility were closed.

570 (8) Since August 2012, the District Department of the Environment has conducted  
571 at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer  
572 station.

573 (9) The W Street Site will provide an opportunity to construct and establish a  
574 state-of-the-art archival government facility centrally located within the District of Columbia in  
575 close proximity to Metrorail and Metrobus service.

576 Sec. 1123. Exercise of eminent domain.

577 The Mayor may exercise eminent domain in accordance with the procedures set forth in  
578 subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots  
579 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in  
580 section 2.

581 **SUBTITLE N. ADVISORY NEIGHBORHOOD COMMISSIONS SIGN-**  
582 **LANGUAGE INTERPRETERS PILOT PROGRAM.**

583 Sec. 1131. This subtitle may be cited as the “Advisory Neighborhood Commissions  
584 Access to Sign-Language Interpreters Amendment Act of 2016”.

585           Sec. 1132. Section 18 of the Advisory Neighborhood Commissions Act of 1975,  
586 effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.15), is amended by  
587 adding a new subsection (d) to read as follows:

588           “(d)(1) Beginning October 1, 2016, the Office shall conduct a one-year pilot program to  
589 provide sign-language interpreters, upon request, for Commission meetings and subcommittee  
590 meetings.

591                       “(A) The Office shall establish a procedure for Commissions to submit  
592 requests.

593                       “(B) The provision of interpreters shall be subject to available funding.

594           “(2) On April 1, 2017, the Office shall submit a mid-year report to the Council  
595 that includes:

596                       “(A) The number of interpreters requested;

597                       “(B) The number of requests approved;

598                       “(C) The average length of time the interpreters were needed;

599                       “(D) The average hourly cost of interpreters;

600                       “(E) The total amount spent on the pilot through the date of submission;

601 and

602                       “(F) An assessment of the effectiveness of the pilot, including  
603 recommendations on its future.”.

604           **SUBTITLE O. HISTORIC DISTRICT FEES**

605           Sec. 1141. Short title.

606           This subtitle may be cited as the “Historic District Fees Act of 2016”.

607           Sec. 1142. Notwithstanding any other provision of law, a building permit shall not be  
608 required for the proposed erection, construction, conversion, or alteration of any structure in a  
609 historic district if it would not be required to perform the same work on an identical structure in a  
610 non-historic district.

611           **SUBTITLE P. CONSTITUENT SERVICES EXPENDITURE LIMIT**

612           Sec. 1151. Short title.

613           This subtitle may be cited as the “Constituent Services Expenditures Limit Amendment  
614 Act of 2016”.

615           Sec. 1152. Section 338(a) Board of Ethics and Government Accountability Establishment  
616 and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012; D.C.  
617 Official Code § 1-1163.38(a)), is amended by striking the phrase “expend a maximum of  
618 \$40,000” and inserting the phrase “expend a maximum of \$60,000” in its place.

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

620           **SUBTITLE A. QHTC DIGITAL MEDIA AND BOUNDARY AMENDMENT**

621           Sec. 2001. Short title.

622           This subtitle may be cited as the “Qualified High Technology Company Boundary and  
623 Media Clarification Amendment Act of 2016”.

624           Sec. 2002. Section 47-4665(a) of Title 47 of the District of Columbia Official Code is  
625 amended as follows:

626           (a) Paragraph (1) is amended by striking the phrase “Qualified High Technology  
627 Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital  
628 Media Company” in its place.

629 (b) Paragraph (3) is amended by striking the phrase “Qualified High Technology  
630 Company” and inserting the phrase “Qualified High Technology Company or Qualified Digital  
631 Media Company” in its place.

632 (c) A new paragraph (6A) is added to read as follows:

633 “(6A)(A) “Qualified Digital Media Company” means:

634 “(i) An individual or entity organized for profit and leasing or  
635 owning an office in the District of Columbia;

636 “(ii) Having 2 or more qualified employees in the District; and

637 “(iii) Deriving at least 51% of its gross revenues earned in the  
638 District from media production; provided, that those revenues are derived from the sale or  
639 advertising of original media content that the individual or entity:

640 “(I) Produces within a facility that it leases or owns inside  
641 the District and that includes permitted production space utilized by the individual or entity  
642 specifically for the creation of original media content; and

643 “(II) Transmits digitally, including via digital transmission,  
644 the electromagnetic spectrum, or Internet streaming.

645 “(B) “Qualified Digital Media Company” shall not include:

646 “(i) An individual or entity that derives 51% or more of its gross  
647 revenues from the operation in the District of:

648 “(I) An on-line or brick and mortar retail store;

649 “(II) An electronic equipment facility that is primarily  
650 occupied, or intended to be occupied, by electronic and computer equipment that provides

651 electronic data switching, transmission, or telecommunication functions between computers,  
652 both inside and outside the facility; or

653 “(III) A building or construction company; or

654 “(ii) A professional athletic team as defined in section 47-  
655 2002.05(a)(3).”.

656 (d) Paragraph (9) is amended to read as follows:

657 “(9) “Tenant” means a Qualified High Technology Company or Qualified Digital  
658 Media Company that executes a lease or a sublease for at least 50,000 square feet of net rentable  
659 area of eligible premises within the District, including within the “DC Ballpark TIF Area” as  
660 defined in section 12a of the Tax Increment Financing Authorization Act of 1998, effective April  
661 8, 2005 (D.C. Law 15-320; D.C. Official Code § 2-1217.12), for a minimum term of 12 years,  
662 under which the tenant, or a directly related entity, occupies and uses the eligible premises, or  
663 will occupy and use the eligible premises, on or after the lease commencement date.”.

664 **SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT**

665 Sec. 2011. Short title.

666 This subtitle may be cited as the “Inaugural Celebration Amendment Act of 2016”.

667 Sec. 2012. Section 25-723(e)(1) of the District of Columbia Official Code is amended by  
668 striking the phrase “designated “Inaugural Week.”” and inserting the phrase “designated  
669 “Inaugural Week”; except, that in 2017, January 14 through January 22 shall be designated  
670 “Inaugural Week.”” in its place.

671 **SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT**

672 Sec. 2021. Short title.

673 This subtitle may be cited as the “Reimbursable Detail Subsidy Program Amendment Act  
674 of 2016”.

675 Sec. 2022. Title 25 of the District of Columbia Official Code is amended as follows:

676 (a) Section 25-211(b)(3) is amended as follows:

677 (1) Designate the existing text as subparagraph (A).

678 (2) A new subparagraph (B) is added to read as follows:

679 “(B) For the purposes of this paragraph, the term “pub crawls” means an  
680 organized group of establishments within walking distance of one another that offer discounted  
681 alcoholic drinks during a specified time period.”.

682 (b) Section 25-798 is amended as follows:

683 (1) Subsection (a) is amended by adding a new paragraph (2A) to read as follows:

684 “(2A) “Pub crawl” means an organized group of establishments within walking  
685 distance of one another that offer discounted alcoholic drinks during a specified time period.”.

686 (2) Subsection (b) is amended by striking the phrase “or in a group,” and  
687 inserting the phrase “or in a group, or a pub crawl organizer” in its place.

688 **SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS**

689 Sec. 2031. Short title.

690 This subtitle may be cited as the "Walter Reed Development Omnibus Amendment Act  
691 of 2015".

692 Sec. 2032. Section 7(d) of the Walter Reed Development Omnibus Act of 2016, enacted  
693 on March 25, 2016 (D.C. Act 21-357; 63 DCR 4678), is amended to read as follows:

694 “(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
695 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy

696 Mayor for Planning and Economic Development shall have the authority to make grants from the  
697 Fund to the Developer for the purposes set forth in subsection (c) of this section.”.

698 **SUBTITLE E. DMPED GRANT-MAKING AUTHORITY AMENDMENT**

699 Sec. 2041. Short title.

700 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
701 Development Limited Grant-Making Authority Amendment Act of 2016”.

702 Sec. 2042. Section 2032 of the Deputy Mayor for Planning and Economic Development  
703 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;  
704 D.C. Official Code § 1-328.04), is amended as follows:

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

706 (1) Paragraph (1) is repealed.

707 (2) Paragraph (2) is repealed.

708 (b) New subsections (d) and (e) are added to read as follows:

709 “(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
710 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor shall  
711 have grant-making authority for the purpose of providing:

712 “(1) Funds as may be necessary to implement projects that are part of the New  
713 Communities Initiative, as that term is defined in section 3(b)(11)(B) of the Housing Production  
714 Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-  
715 2802(b)(11)(B)); provided, that such funds are included in the approved operating budget for the  
716 New Communities Initiative program or the approved capital budget for the New Communities  
717 Initiative project;

718                   “(2) Funds to the Washington Convention Center Marketing Fund established by  
719 section 208a of the Washington Convention Center Authority Act of 1994, effective September  
720 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.08a), to supplement funds included in  
721 an approved budget for marketing-service contracts pursuant to sections 208a(e) or 208a(e-1) of  
722 that act; and

723                   “(3) Funds to the Washington DC Economic Partnership; provided, that such  
724 funds are included in an approved budget and designated for the Washington DC Economic  
725 Partnership.

726                   “(e) In addition to the grant-making authority provided in subsection (d)(3) of this  
727 section, the Deputy Mayor shall have the authority to transfer funds to Events DC pursuant to a  
728 Memorandum of Agreement or Memorandum of Understanding between the Deputy Mayor and  
729 Events DC.”.

730                   **SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT**

731                   Sec. 2051. Short title.

732                   This subtitle may be cited as the “Office of Cable Television, Film, Music, and  
733 Entertainment Clarification Amendment Act of 2016”.

734                   Sec. 2052. The Office of Cable Television, Film, Music, and Entertainment Amendment  
735 Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et*  
736 *seq.*), is amended as follows:

737                   (a) Section 201 (D.C. Official Code § 34-1252.01) is amended as follows:

738                   (1) Subsection (a)(3) is amended as follows:

739 (A) The lead-in language is amended by striking the phrase “an  
740 entertainment industry in the District” and inserting the phrase “a sustainable creative economy,  
741 entertainment, and media industry in the District” in its place.

742 (B) Subparagraph (E) is amended by striking the phrase “television  
743 shows and films” and inserting the phrase “entertainment industry projects” in its place.

744 (C) Subparagraph (F) is amended by striking the phrase “,  
745 television shows and films”.

746 (2) Subsection (e) is amended by striking the word “Programming” and inserting  
747 the phrase “Programming, or an equivalent position,” in its place.

748 (b) Section 202 (D.C. Official Code § 34-1252.02) is amended as follows:

749 (1) Paragraph (8A) is amended as follows:

750 (A) The lead-in text is amended by striking the phrase “studios and  
751 equipment” and inserting the phrase “studios, facilities, and equipment” in its place.

752 (B) Subparagraph (A) is amended by striking the phrase “studios  
753 or” and inserting the phrase “studios, facilities, or” in its place.

754 (2) Paragraph (16) is amended by striking the phrase “funds from nonprofit and”  
755 and inserting the phrase “funds from private, nonprofit, and” in its place.

756 (3) Paragraph (19) is amended by striking the word “and” at the end.

757 (4) Paragraph (20) is amended by striking the period and inserting the phrase “;  
758 and” in its place.

759 (5) A new paragraph (21) is added to read as follows:

760 “(21) Establish written formal, collaborative arrangements (sometimes called  
761 partnerships) with private and nonprofit entities to implement the purposes of this act.”.

762 (c) Section 203 (D.C. Official Code § 34-1252.03) is amended as follows:

763 (1) The heading is amended by striking the phrase “Cable Television” and  
764 inserting the phrase “OCTFME” in its place.

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

766 (A) Strike the phrase “Cable Television” both times it appears and insert  
767 the phrase “OCTFME”.

768 (B) Strike the phrase “operation of a cable system” and insert the phrase  
769 “operation of the industries under this act” in its place.

770 (3) Subsection (d) is amended as follows:

771 (A) Paragraph (3) is amended by striking the word “and” at the end.

772 (B) A new paragraphs (3A) is added to read as follows:

773 “(3A) Fees derived from film permits applied for or issued pursuant to section 2d  
774 of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111;  
775 D.C. Official Code § 2-1204.11d);

776 (C) Paragraph (4) is amended by striking the period and inserting  
777 the phrase “; and” in its place.

778 (D) A new paragraph (5) is added to read as follows:

779 “(5) All interest earned on all deposits.”.

780 Sec. 2053. Section 2e of the Film DC Economic Incentive Act of 2006, effective March  
781 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11e), is repealed.

782 **SUBTITLE G. DMPED PROCUREMENT EXEMPTION CLARIFICATION**

783 Sec. 2061. Short title.

784 This subtitle may be cited as the “DMPED Procurement Exemption Clarification  
785 Amendment Act of 2016”.

786 Sec. 2062. Section 201 of the National Capital Revitalization Corporation and Anacostia  
787 Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-  
788 138; D.C. Official Code § 2-1225.11), is amended by adding a new subsection (b-1) to read as  
789 follows:

790 “(b-1) Any contract between the Deputy Mayor for Planning and Economic Development  
791 and a developer for the development of Square 3128 related to Zoning Commission Order No.  
792 Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections  
793 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
794 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).”.

795 **SUBTITLE H. BUSINESS IMPROVEMENT DISTRICTS CHARTER RENEWAL**

796 Sec. 2071. Short title.

797 This subtitle may be cited as the “Business Improvement Districts Charter Renewal  
798 Amendment Act of 2016”.

799 Sec. 2072. The Business Improvement Districts Act of 1996, effective May 29, 1996  
800 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

801 (a) Section 19(a)(1)(B) (D.C. Official Code § 2-1215.18(a)(1)(B)), is amended by  
802 striking the phrase “The Board and membership approve a BID plan for the next 5 years of BID  
803 operations and submit that plan to the Mayor; and” and inserting the phrase “The BID submits a  
804 plan for the next 5 years of BID operations to the Mayor; and” in its place.

805 (b) Section 24(b) (43 DCR 1698) is repealed.

806           **SUBTITLE I. PREGNANT WORKERS PROTECTION**

807           Sec. 2081. Short title.

808           This subtitle may be cited as the “Protecting Pregnant Workers Fairness Amendment Act  
809 of 2016”.

810           Sec. 2082. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3,  
811 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

812           (a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

813                   (1) Subparagraph (F) is amended by striking the word “or”.

814                   (2) Subparagraph (G) is amended by striking the period and inserting the phrase “;  
815 or” in its place

816                   (3) A new subparagraph (H) is added to read as follows:

817                           “(H) Time off due to pre-birth complications.”.

818           (b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

819                   (1) Paragraph (4) is amended by striking the word “or” at the end.

820                   (2) Paragraph (5) is amended by striking the period and inserting the phrase “; or”  
821 in its place.

822                   (3) A new paragraph (6) is added to read as follows:

823                           “(6) Take an adverse action against an employee who has been absent from work  
824 as a result of a pregnancy related condition, including a pre-birth complication.”.

825           **SUBTITLE J. ACCRUED SICK AND SAFE LEAVE AMENDMENT**

826           Sec. 2091. Short title.

827           This subtitle may be cited as the “Accrued Sick and Safe Leave Amendment Act of  
828 2016”.

829           Sec. 2092. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C.

830 Law 17-152; D.C. Official Code § 32-131.01 *et seq.*), is amended as follows:

831           (a) Section 6(b)(1) (D.C. Official Code §32-131.05(b)(1)) is amended by striking the  
832 phrase “(3); or” and inserting the phrase “(3); and” in its place.

833           (b) Section 7(b) (D.C. Official Code § 32-131.06(b)) is amended by striking the phrase  
834 “agreement.” and inserting the phrase “agreement that expressly waives the requirements in clear  
835 and unambiguous terms.” in its place.

836           **SUBTITLE K. ADULT CAREER PATHWAYS IMPLEMENTATION**

837           Sec. 2101. Short title.

838           This subtitle may be cited as the "Adult Career Pathways Implementation Amendment  
839 Act of 2016".

840           Sec. 2102. Section 14(d)(2)(D) of the District of Columbia Unemployment  
841 Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-  
842 114(d)(2)(D)), is amended by striking the phrase “Administrative Fund may be used” and  
843 inserting the phrase “Administrative Fund, or other sources of workforce development funding,  
844 may be used” in its place.

845           **SUBTITLE L. UNEMPLOYMENT BENEFITS MODERNIZATION**

846           Sec. 2111. Short title.

847           This subtitle may be cited as the “Unemployment Benefits Modernization Amendment  
848 Act of 2016”.

849           Sec. 2112. The District of Columbia Unemployment Compensation Act, approved  
850 August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

851           (a) Section 1(5) (D.C. Official Code § 51-101(5)) is amended as follows:

852 (1) Strike the figure “80%” and insert the figure “66%” in its place.

853 (2) Strike the figure “\$20” and insert the figure “\$50” in its place.

854 (b) Section 7 (D.C. Official Code § 51-107) is amended as follows:

855 (1) Subsection (a) is amended by striking the last sentence.

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

857 “(b)(1) An individual’s weekly benefit amount is equal to one twenty-sixth

858 (computed to the next higher multiple of \$1) of their total wages for insured work paid during the

859 quarter of their base period in which such total wages were highest, with such other following

860 limitations.

861 “(2) Effective October 1, 2016, the maximum weekly benefit amount shall

862 be \$425.

863 “(3)(A) Effective January 1, 2018, and for each calendar year thereafter,

864 the maximum weekly benefit amount shall be determined by the Director of the Department of

865 Employment Services by using the Department of Labor State Benefit Financing Model.

866 “(B) The Director shall consider the Consumer Price Index for Urban

867 Consumers in the Washington Metropolitan Statistical Area, published the United States

868 Department of Labor’s Bureau of Labor Statistics, in making a determination.

869 “(C) The recommended maximum weekly benefit amount shall not

870 worsen the condition of the District Unemployment Compensation Trust Fund.

871 “(D) The Director shall recommend the maximum weekly benefit amount

872 which shall become the maximum weekly benefit amount for the next calendar year, unless the

873 Council passes a resolution disapproving the Director’s recommendation within 45 days after its

874 receipt.

875                               “(E) If the Council passes a resolution of disapproval, the maximum  
876 weekly benefit amount then in effect shall continue in effect for the next calendar year.”.

877                               (3) Subsection (d) is amended by striking the phrase “or 50% of the wages for  
878 employment paid to such individual by employers during his base period whichever is the  
879 lesser”.

880                               (4) Subsection (e) is amended as follows:

881                                       (A) Strike the figure “80%” and insert the figure “66%” in its place.

882                                       (B) Strike the figure “\$20” and insert the figure “\$50” in its place.

883                               (5) Subsection (f) is amended by striking the phrase “this section shall not apply”  
884 and inserting the phrase “this subsection shall not apply” in its place.

885                               (c) Section 8 (D.C. Official Code § 51-108) is amended by striking the last sentence and  
886 inserting the following sentence in its place:

887                                       “All payments of benefits shall be made by the Chief Financial Officer and shall be  
888 subject to a post, but not a prior, audit by the Office of the Inspector General.”.

889                               **SUBTITLE M. TOPA APPLICATION-ASSISTANCE PILOT PROGRAM**

890                               Sec. 2121. Short title.

891                               This subtitle may be cited as the “TOPA Application-Assistance Pilot Program  
892 Amendment Act of 2016”.

893                               Sec. 2122. The Rental Housing Conversion and Sale Act of 1980, effective September  
894 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new  
895 section 414 to read as follows:

896                                       “Sec. 414. TOPA Application-Assistance Pilot Program.

897           “(a) For Fiscal Year 2017, there is established a TOPA Application-Assistance Pilot  
898 Program (“Program”) to help tenant organizations prepare their applications to the First Right  
899 Purchase Assistance Program described at Chapter 27 of Title 14 of the District of Columbia  
900 Municipal Regulations (14 DCMR § 2700 et seq.). The Program shall complement the First  
901 Right Purchase Assistance Program, and shall include funding for pre-application legal and  
902 technical assistance to help tenant organizations apply for the First Right Purchase Assistance  
903 Program.

904           “(b) A tenant organization shall be eligible for the Program if the tenant organization  
905 meets the eligibility requirements of 14 DCMR § 2701. A property shall be eligible for the  
906 Program if the property meets the eligibility requirements of 14 DCMR § 2703.

907           “(c) The Mayor shall ensure that the agency administering the Program:

908                   “(1) Approves or denies applications for the Program within 15 days of receiving  
909 completed applications from tenant organizations;

910                   “(2) Issues award letters or denies application for the First Right Purchase  
911 Assistance Program within 30 days of receiving completed applications from tenant  
912 organizations;

913                   “(3) Reimburses invoices received from tenant organizations for Program  
914 expenditures and First Right Purchase Assistance Program expenditures within 30 days of  
915 receipt; and

916                   “(4) Expeditiously administers the Program and the First Right Purchase  
917 Assistance Program in a manner that allows tenant organizations to meet all TOPA deadlines.

918           “(d) The maximum amount of pre-application legal and technical assistance that may be  
919 awarded to a tenant organization shall be \$20,000.

920 “(e) If a tenant organization, or the entity to which a tenant organization assigns its rights  
921 under this title, successfully purchases a property, the full amount of any assistance provided  
922 pursuant to this section shall be repaid to the Program within 30 days of the purchase of the  
923 property.

924 “(f) By November 1, 2016, the Mayor shall issue rules to implement the provisions of  
925 this section. The rules shall mandate processes for the application for, and distribution of, funds  
926 in a timely manner so as to facilitate successful compliance with the required timelines and  
927 purposes of this section.”.

928 Sec. 2123. Section 2009(c) of the Fiscal Year 2009 Budget Support Act of 2008,  
929 effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended  
930 as follows:

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

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

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

935 “(17) To provide funding for TOPA application assistance pursuant to section 414  
936 of the Rental Housing Conversion and Sale Act of 1980, passed on 2<sup>nd</sup> reading on June \_\_\_\_\_,  
937 2016 (Enrolled version of Bill 21-669); provided, that funding for TOPA application assistance  
938 shall not exceed the amount available in the Unified Fund.”.

939 Sec. 2124. This subtitle shall expire on September 30, 2017.

940 **SUBTITLE N. RETAIL PRIORITY AREA AMENDMENT**

941 Sec. 2131. Short title.

942 This subtitle may be cited as the “Retail Priority Area Amendment Act of 2016”.

943           Sec. 2132. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April  
944 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 et seq.), is amended as follows:

945           (a) Section 3(c)(3) (D.C. Official Code § 1-325.172(c)(3)) is amended to read as follows:

946                   “(3) Beginning October 1, 2015, and ending September 30, 2017, make grants to  
947 support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004,  
948 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may  
949 be awarded for revitalization programs within any of the Retail Priority Areas established by or  
950 pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law  
951 15-185; D.C. Official Code § 2-1217.73).

952           (b) Section 4 (D.C. Official Code § 1-325.173) is amended by adding a new subsection  
953 (d) to read as follows:

954                   “(d) Grants made available under this section shall be disbursed to grantees in quarterly  
955 allotments and each quarterly allotment shall be verified by grantees providing receipt showing  
956 the expenditure of allowable expenses before disbursement of a subsequent quarterly allotment.”.

957           Sec. 2133. Section 4b(b) of the Retail Incentive Act of 2004, effective December 24,  
958 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b(b)), is amended by adding a new  
959 paragraph (4) to read as follows:

960                   “(4) Grants made available under this section shall be disbursed to grantees in  
961 quarterly allotments and each quarterly allotment shall be verified by grantees providing receipt  
962 showing the expenditure of allowable expenses before disbursement of a subsequent quarterly  
963 allotment.”.

964           Sec. 2134. Section 4 of the Retail Incentive Act of 2004, effective September 8, 2004  
965 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), is amended as follows:

966 (a) Subsection (i) is amended by striking the word “Macomb” and inserting the word  
967 “Calvert” in its place.

968 (b) Subsection (n) is amended by striking the phrase “Tenley Circle” and inserting the  
969 phrase “R Street” in its place.

970 **SUBTITLE O. WORKFORCE INVESTMENT COUNCIL MEMBERSHIP**

971 Sec. 2141. Short title.

972 This subtitle may be cited as the “Workforce Investment Council Membership  
973 Clarification Act of 2016”.

974 Sec. 2142. Section 4(e) of the Workforce Investment Implementation Act of 2000,  
975 effective July 18, 2000 (D.C. Law 13-150, D.C. Official Code § 32-1603(e)), is amended to read  
976 as follows:

977 “(e) The Mayor shall appoint members of the Workforce Investment Council in a manner  
978 consistent with the requirements of section 101 of the Workforce Innovation and Opportunity  
979 Act, approved July 22, 2014 (128 Stat. 1440; 29 U.S.C. § 3111); provided, that the Workforce  
980 Investment Council shall include 2 members of the Council of the District of Columbia  
981 appointed by the Chairman of the Council of the District of Columbia.”.

982 **SUBTITLE P. ARTS AND HUMANITIES COMPETITIVE GRANTS**

983 Sec. 2151. Short title.

984 This subtitle may be cited as the “Commission on the Arts and Humanities Competitive  
985 Grants Act of 2016”.

986 Sec. 2152. In Fiscal Year 2017, the Commission on the Arts and Humanities shall award  
987 grants on a competitive basis the following grants to:

988 (1) Support the establishment of a children’s museum in the Central Business

989 District, as defined in Title 11 of the District of Columbia Municipal Regulations, in an amount  
990 not to exceed \$1 million;

991 (2) Provide a literary-enrichment program for District of Columbia Public Schools  
992 and public charter schools that includes the provision of copies of literature and curricular  
993 materials and author visits for literary discussion with students, in an amount not to exceed  
994 \$200,000;

995 (3) Provide orchestral performances with supporting community engagement  
996 events, in an amount not to exceed \$50,000;

997 (4) Provide support for a theatre in the Central Business District that is operated  
998 by a nonprofit organization, in an amount not to exceed \$1,000,000; and

999 (5) Provide support for an organization dedicated to preserving the history of  
1000 African-American involvement in the American Civil War, in an amount not to exceed  
1001 \$250,000.

1002 **SUBTITLE Q. WORKERS’ COMPENSATION LIEN RECONCILIATION**

1003 Sec. 2161. Short title.

1004 This subtitle may be cited as the “Workers’ Compensation Lien Reconciliation  
1005 Amendment Act of 2016”.

1006 Sec. 2162. Section 3(f-1) of the District of Columbia Workers’ Compensation Act of  
1007 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(f-1)), is amended by  
1008 striking the word “settlement” and inserting the word “total recovery” in its place.

1009 **SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**

1010 **MATCH**

1011 Sec. 2171. Short title.

1012           This subtitle may be cited as the “National Cherry Blossom Festival Fundraising Match  
1013 Act of 2016”.

1014           Sec. 2172. In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency,  
1015 \$250,000 shall be transferred to the Washington Convention and Sports Authority to administer a  
1016 matching grants program to support the National Cherry Blossom Festival. A matching grant of  
1017 up to \$250,000 shall be awarded to a nonprofit organization that organizes and produces an event  
1018 or events as part of the official, month-long National Cherry Blossom Festival dollar-for-dollar  
1019 for corporate donations above \$750,000 raised by the nonprofit for this purpose by March 31,  
1020 2017. Any matching grant awarded under this section shall be in addition to any other grants  
1021 awarded by the Washington Convention and Sports Authority in support of the National Cherry  
1022 Blossom Festival.

1023   **TITLE III. PUBLIC SAFETY AND JUSTICE**

1024           **SUBTITLE A. COG PROCUREMENT AUTHORIZATION**

1025           Sec. 3001. Short title.

1026           This subtitle may be cited as the “Placement of Orders with Governmental Entities  
1027 Amendment Act of 2016”.

1028           Sec. 3002. Section 1 of An Act To grant additional powers to the Commissioners of the  
1029 District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C.  
1030 Official Code § 1–301.01), is amended as follows:

1031           (a) Subsection (j-1)(1) is amended by striking the phrase “for materials” and inserting the  
1032 phrase “for the provision or receipt of materials” in its place.

1033           (b) A new subsection (j-2) is added to read as follows:

1034 “(j–2) Placement of orders with the Metropolitan Washington Council of Governments –  
1035 Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.  
1036 Law 18–371; D.C. Official Code § 2–351.01 *et seq.*), the Mayor may contract with the  
1037 Metropolitan Washington Council of Governments for the provision or receipt of materials,  
1038 supplies, equipment, work, or services of any kind. Contracts executed pursuant to this  
1039 subsection shall be considered obligations upon appropriations in the same manner as orders or  
1040 contracts executed pursuant to subsections (j) or (k) of this section.”.

1041 **SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID**

1042 **AMENDMENT**

1043 Sec. 3011. Short title.

1044 This subtitle may be cited as the “Reciprocal Agreements for Mutual Aid Amendment  
1045 Act of 2016”.

1046 Sec. 3012. An Act To provide for a mutual-aid plan for fire protection by and for the  
1047 District of Columbia and certain adjacent communities in Maryland and Virginia, and for other  
1048 purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414), is amended as  
1049 follows:

1050 (a) Section 1(a) (D.C. Official Code § 5-414(a)) is amended to read as follows:

1051 “(a) The Mayor is hereby authorized in his or her discretion to enter into and to renew  
1052 reciprocal agreements, for such period as he or she deems advisable, with the appropriate county,  
1053 municipal, and other governmental units in Prince George's and Montgomery Counties,  
1054 Maryland, and Arlington, Fairfax, and Loudon Counties, Virginia, with the City of Alexandria,  
1055 Virginia, with the City of Fairfax, Virginia, with the City of Falls Church, Virginia, and with  
1056 incorporated or unincorporated fire departments, fire companies, and organizations of fire

1057 personnel in such counties and cities, in order to establish and carry into effect a plan to provide  
1058 mutual aid, through the furnishing of firefighting personnel and equipment, by and for the  
1059 District of Columbia and such counties and cities, for the extinguishment of fires and for the  
1060 preservation of life and property in emergencies, in the District and in such counties and cities.”.

1061 (b) Section 2 (D.C. Official Code § 5-414(b)) is amended by striking the phrase “The  
1062 District of Columbia” and inserting the phrase “The Mayor” in its place.

1063 (c) Section 3 (D.C. Official Code § 5-414(c)) is amended to read as follows:

1064 “(c) The Mayor may make available to the federal government, the Washington  
1065 Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and  
1066 any other local or regional authority or intergovernmental organization, personnel and equipment  
1067 of the Fire and Emergency Medical Services Department to extinguish fires, and to save lives, on  
1068 property of the federal government, the Washington Metropolitan Area Transit Authority, the  
1069 Metropolitan Washington Council of Governments, or another local or regional authority of  
1070 which the District is a member or intergovernmental organization to which the District or any of  
1071 its offices or agencies belongs in Prince George's and Montgomery Counties, Maryland;  
1072 Arlington, Fairfax, and Loudon Counties, Virginia; the City of Alexandria, Virginia; the City of  
1073 Fairfax, Virginia; and the City of Falls Church, Virginia.”.

1074 (d) Section 4 (D.C. Official Code § 5-414(d)) is amended as follows:

1075 (1) Strike the phrase “Fire Department” wherever it appears and insert the phrase  
1076 “Fire and Emergency Medical Services Department” in its place.

1077 (2) Strike the word “his” and insert the phrase “his or her” in its place.

1078 **SUBTITLE C. PUBLIC SAFETY EXECUTIVE PAY SCHEDULE AMENDMENT**

1079 Sec. 3021. Short title.

1080 This subtitle may be cited as the “Executive Service Pay Schedule Amendment Act of  
1081 2016”.

1082 Sec. 3022. The District of Columbia Government Comprehensive Merit Personnel Act of 1978,  
1083 effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as  
1084 follows:

1085 (a) Section 1052 (D.C. Official Code 1-610.52) is amended as follows:

1086 (1) Subsection (b) is amended as follows:

1087 (A) Paragraph (2) is amended to read as follows:

1088 “(2) Notwithstanding paragraph (1) of this subsection, the Council approves a  
1089 compensation level of \$292,520 for Kaya Henderson, as Chancellor of the District of Columbia  
1090 Public Schools (“Chancellor”).”.

1091 (B) Paragraph (2A) is repealed.

1092 (C) Paragraph (3) is amended as follows:

1093 (i) Designate the existing text as subparagraph (A).

1094 (ii) The newly designated subparagraph (A) is amended by  
1095 striking the phrase “levels of compensation as provided in paragraphs (2) and (2A)” and inserting  
1096 the phrase “level of compensation as provided in paragraph (2)” in its place.

1097 (iii) A new subparagraph (B) is added to read as follows:

1098 “(B)(i) Notwithstanding subparagraph (A) of this paragraph or any other  
1099 provision of law, the Chancellor may be paid a recognition and renewal bonus of 5% of her  
1100 annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for  
1101 goals achieved by the end of the 2016-17 school year.

1102                                   “(ii) In addition to such other benefits as the Chancellor may be  
1103 entitled to receive under existing law and regulation, and notwithstanding subparagraph (A) of  
1104 this paragraph and section 1058, the Mayor may make:

1105                                   “(I) A separation payment to the Chancellor of up to 24  
1106 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated for a reason other  
1107 than criminal conduct, gross dereliction of duty, or gross misconduct; and

1108                                   “(II) A payment to the Chancellor’s executors, legal  
1109 representatives, or administrators in the amount of 1/12 of the Chancellor’s annual salary if the  
1110 Chancellor dies during her term of employment.”.

1111                                   (D) Paragraph (4) is amended to read as follows:

1112                                   “(4) The existing level of compensation for the position in paragraph (2) of this  
1113 subsection shall not be used as the basis for determining the salary of an officeholder in the  
1114 position of Chancellor, who takes office after February 24, 2012. The Chancellor shall be  
1115 subject to compensation within the limits of the DX Schedule, except as provided by this act.”.

1116                                   (2) Subsection (b-1) is repealed.

1117                                   (b) Section 1052a (D.C. Official Code § 1-610.52a) is amended as follows:

1118                                   (1) Subsection (a) is amended by striking the phrase “who are required to hold a  
1119 medical degree or another advanced health-related degree”.

1120                                   (2) Subsection (b) is amended to read as follows:

1121                                   “(b)(1) The Mayor shall designate the appropriate pay level for each subordinate agency  
1122 head within the public safety cluster based on market analyses considering the qualifications and  
1123 work experience of each individual appointee, and other relevant criteria; provided, that the

1124 salary of a subordinate agency head within the public safety cluster shall not exceed the DX  
1125 Public Safety Schedule unless authorized by an act of the Council.

1126           “(2) Notwithstanding paragraph (1) of this subsection, the Council approves a  
1127 compensation level of \$253,817 for Cathy Lanier, as Chief of the Metropolitan Police  
1128 Department.

1129           “(3) The existing level of compensation for the position in paragraph (2) of this  
1130 subsection shall not be used as the basis for determining the salary of an officeholder in the  
1131 position of Chief of the Metropolitan Police Department, who takes office after February 24,  
1132 2012. The Chief of the Metropolitan Police Department shall be subject to compensation within  
1133 the limits of the DX Public Safety Schedule, except as provided by this act.”.

1134           Sec. 3023. Section 2903(b) of the Establishment of the Office of the Chief Medical  
1135 Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-  
1136 1402(b)), is amended by striking the phrase “, to be paid at an annual rate of \$206,000,”.

1137           **SUBTITLE D. ANATOMICAL BOARD REPEAL**

1138           Sec. 3031. Short title.

1139           This subtitle may be cited as the “Anatomical Board Repeal Amendment Act of 2016”.

1140           Sec. 3032. An Act For the promotion of anatomical science and to prevent the  
1141 desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C.  
1142 Official Code § 3-201 *et seq.*), is repealed.

1143           Sec. 3033. Section 6(h)(4)(C)(i) of the District of Columbia Funeral Services Regulatory  
1144 Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405(h)(4)(C)(i)), is  
1145 amended by striking the phrase “The Anatomical Board, human tissue banks, and anatomical  
1146 gifts;” and inserting the phrase “Human tissue banks and anatomical gifts;” in its place.

1147           **SUBTITLE E. FIRE OFFICIALS SERVICE LONGEVITY AMENDMENT**

1148           Sec. 3041. Short title.

1149           This subtitle may be cited as the “Fire and Emergency Medical Services Department  
1150 Chief Officers Service Longevity Amendment Act of 2016”.

1151           Sec. 3042. Section 401(a) of the District of Columbia Police and Firemen’s Salary Act of  
1152 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5–544.01(a)), is amended by  
1153 striking the phrase “contained in section 101, an amount computed in accordance with the  
1154 following table:” and inserting the phrase “contained in section 101, as modified pursuant to  
1155 section 506a, an amount computed in accordance with the following table; provided, that for  
1156 each Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief in active service,  
1157 longevity pay shall be calculated based on the Class and Service Step that the member occupies:”  
1158 in its place.

1159           **SUBTITLE F. FEMS PRESUMPTIVE DISABILITY IMPLEMENTATION**

1160           Sec. 3051. Short title.

1161           This subtitle may be cited as the “Fire and Emergency Medical Services Presumptive  
1162 Disability Implementation Amendment Act of 2016”.

1163           Sec. 3052. Subtitle D of the Fire and Police Medical Leave and Limited Duty  
1164 Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-651  
1165 *et seq.*), is amended as follows:

1166           (a) Section 651(7) (D.C. Official Code § 5-651(7)) is amended to read as follows:

1167           “(7) “Pre-employment physical examination” means the physical examination required  
1168 under section 721 of the Police and Fire Minimum Standards Amendment Act of 2004, effective  
1169 September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-451).”

1170 (b) Section 653 (D.C. Official Code § 5-653) is amended as followed:

1171 (1) Subsection (a)(1) is amended by striking the word “throat” and inserting the  
1172 word “respiratory” in its place.

1173 (2) Subsection (b)(1) is amended by striking the word “throat” and inserting the  
1174 word “respiratory” in its place.

1175 (c) New sections 655a, 655b, and 655c are added to read as follows:

1176 “Sec. 655a. Physical examinations; maintaining eligibility.

1177 “(a) In order to be eligible to make a claim under this title that relies on a presumption  
1178 under this subtitle, a member shall, in addition to meeting any other requirements as required by  
1179 this subtitle or rules issued pursuant to section 655c , have undergone a pre-employment physical  
1180 examination and complied with any subsequent physical examination requirements, such as  
1181 annual physical exams, that are, or were during the period of covered service, applicable to all  
1182 Department members.

1183 “(b) In order to be eligible to make a claim under this title that relies on a presumption  
1184 under this subtitle, an EMS employee shall, in addition to meeting any other requirements as  
1185 required by this subtitle or rules issued pursuant to section 655c , have undergone a pre-  
1186 employment physical examination and complied with any subsequent physical examination  
1187 requirements, such as annual physical exams, that are, or were during the period of covered  
1188 service, applicable to all Department EMS employees.

1189 “(c) For any member or EMS employee hired after May 1, 2013, the District may require  
1190 additional, appropriate laboratory and other diagnostic studies to be included as part of the pre-  
1191 employment physical examination; provided, that any additional requirements are applicable to  
1192 all members or EMS employees.

1193 “Sec. 655b. Reporting requirements.

1194 “Beginning on January 31, 2018, and by January 31 of each subsequent year, the  
1195 Department, in coordination with the Police and Fire Clinic, shall submit an annual report to the  
1196 Council that contains the following information from the preceding calendar year:

1197 “(1) The total number of claims made under section 652 by members;

1198 “(2) The total number of claims made under section 652 by EMS employees;

1199 “(3) The total number of claims made under section 653 by members;

1200 “(4) The total number of claims made under section 653 by EMS employees;

1201 “(5) The total number of claims made under section 654 by members; and

1202 “(6) The total number of claims made under section 654 by EMS employees.

1203 “Sec. 655c. Rules.

1204 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
1205 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
1206 rules to implement the provisions of this subtitle.”.

1207 (d) Section 656 is amended to read as follows:

1208 “Sec. 656. Applicability.

1209 “Sections 652 and 654 of this subtitle shall apply upon the inclusion of their fiscal effect  
1210 in an approved budget and financial plan, as certified by the Chief Financial Officer to the  
1211 Budget Director of the Council in a certification published by the Council in the District of  
1212 Columbia Register.”.

1213 **SUBTITLE G. FEMS APPARATUS MAINTENANCE**

1214 Sec. 3061. Short title.

1215 This subtitle may be cited as the “Fire and Emergency Medical Services Apparatus  
1216 Maintenance Requirements and Training Program Establishment Amendment Act of 2016”.

1217 Sec. 3062. Section 1 of An Act Making appropriations for the government of the District  
1218 of Columbia and other activities chargeable in whole or in part against the revenues of said  
1219 District for the fiscal year ending June 30, 1957, and for other purposes, approved June 29, 1956  
1220 (70 Stat. 443; D.C. Official Code § 5-413), is amended as follows:

1221 (a) The existing text is designated as paragraph (1).

1222 (b) The newly designated paragraph (1) is amended by striking the phrase “Fire  
1223 Department” and inserting the phrase “Fire and Emergency Medical Services Department  
1224 (“Department”)” in its place.

1225 (c) A new paragraph (2) is added to read as follows:

1226 “(2) The Department shall:

1227 “(A) Comply with the certification and preventative maintenance  
1228 requirements of the National Fire Protection Association, NFPA 1911, 2012 edition, or any  
1229 subsequent edition; and

1230 “(B) Maintain qualifications of the Fleet Maintenance staff through  
1231 organizational and manufacturing training in accordance with National Fire Protection  
1232 Association, NFPA 1071, 2016 edition, or any subsequent edition.”.

1233 Sec. 3063. The Police Officer and Firefighter Cadet Programs Funding Authorization  
1234 and Human Rights Act of 1977 Amendment Act of 1982, effective March 9, 1983 (D.C. Law 4-  
1235 172; codified in various sections of the District of Columbia Official Code), is amended as  
1236 follows:

1237 (a) A new section 5a is added to read as follows:

1238 “Sec. 5a. Emergency Vehicle Training Program.

1239 “(a) The Chief of the Fire and Emergency Medical Services Department shall  
1240 establish, in conjunction with the University of the District of Columbia Community College, a  
1241 Pilot Civilian Technical Services Program (“Program”) for the purpose of instructing, training,  
1242 and exposing interested persons, primarily residents of the District of Columbia, to the technical  
1243 maintenance of Department apparatus and devices, and the duties, tasks, and responsibilities of  
1244 serving as an employee in the Field Infrastructure and Inventory Management programs within  
1245 the Department.

1246 “(b) The Program shall include training courses that equip civilian employees with the  
1247 skills to provide emergency vehicle and facility maintenance, certification, and specialized  
1248 network management services to the Department.

1249 “(c) A person successfully completing the Program shall be accorded full preference for  
1250 appointment as a civilian employee of the Department provided the person meets all other  
1251 requirements pertaining to employment in the Department.

1252 “(d) The Chief shall establish performance measures for the program.”.

1253 (b) Section 6 (D.C. Official Code § 5-109.02) is amended by striking the phrase  
1254 “and section 2(b)-(d)” and inserting the phrase “, section 2(b)-(d), and section 5a” in its  
1255 place.

1256 **SUBTITLE H. EMS TRANSPORT CONTRACT AUTHORITY**

1257 Sec. 3071. Short title.

1258 This subtitle may be cited as the “Emergency Medical Services Transport Contract  
1259 Authority Amendment Act of 2016”.

1260           Sec. 3072. An Act To classify the officers and members of the fire department of the  
1261 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C.  
1262 Official Code § 5-401 *et seq.*), is amended as follows:

1263           (a) Section 1 (D.C. Official Code § 5-401) is amended as follows:

1264                   (1) Subsection (a) is amended by striking the word “resolution” and inserting the  
1265 word “act” in its place.

1266                   (2) Subsection (b) is amended as follows:

1267                           (A) Designate the existing text as paragraph (1).

1268                           (B) The newly designated paragraph (1) is amended by striking the word  
1269 “resolution” and inserting the word “act” in its place.

1270                           (C) New paragraphs (2) and (3) are added to read as follows:

1271                                   “(2) Notwithstanding paragraph (1) of this subsection, the Department may  
1272 contract with third parties to provide supplemental pre-hospital medical care and transportation to  
1273 persons requiring Basic Life Support.

1274                                   “(3) A contract entered into pursuant to paragraph (2) of this subsection shall  
1275 include a provision that precludes the District from liability for any claims arising out of the  
1276 actions of the third-party contractor and also provides full indemnification to ensure that the  
1277 District shall not be responsible for any amounts owed to others as a result of the third-party  
1278 contractor’s action or inaction under the contract.”.

1279                           (3) New subsections (d), (e), (f), (g), and (h) are added to read as follows:

1280                                   “(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of  
1281 this section shall provide a quarterly report to the Department and to the Council that includes  
1282 the following information:

- 1283                   “(1) The number of transports performed;
- 1284                   “(2) The average time between the dispatch of the third-party contractor by the  
1285 Department and the third-party contractor’s arrival to the patient;
- 1286                   “(3) The location where the third-party contractor meets each patient and the  
1287 name and location of the healthcare facility to which the patient is transported;
- 1288                   “(4) The average transport time from the location where the third-party contractor  
1289 meets each patient to the healthcare facility to which the patient is transported;
- 1290                   “(5) The average time that the third-party contractor remains out of service after  
1291 transporting a patient to a healthcare facility;
- 1292                   “(6) The average time that the third-party contractor remains out of service while  
1293 waiting to transfer the care of a patient to a healthcare facility;
- 1294                   “(7) The number of third-party contractor ambulances available on a daily basis  
1295 for Department use;
- 1296                   “(8) The length of the third-party contractor’s personnel shifts;
- 1297                   “(9) The number of employees hired by the third-party contractor and their  
1298 residency;
- 1299                   “(10) The number of patients who used the third-party contractor’s services twice  
1300 or more times during the reporting period, including the number of times the patient used the  
1301 services during the previous 12 months; and
- 1302                   “(11) The number of patient care reports collected, including the amount reviewed  
1303 with the Department.
- 1304                   “(e) By June 12, 2016, and quarterly thereafter, the Department shall submit a report to  
1305 the Council that includes the following information:

1306                   “(1) Activity by the Department to educate the public on the proper use of  
1307 emergency requests for service;

1308                   “(2) The number of Department employees hired after the contract award and  
1309 their residency;

1310                   “(3) An evaluation of pre-hospital medical care and transportation fees  
1311 considering the reasonableness of the fees, the public interest, and the persons required to pay the  
1312 fee;

1313                   “(4) The number of ambulances added to the Department’s frontline and reserve  
1314 fleet after the date of the contract award, including whether these ambulances are replacing or  
1315 supplementing the current fleet;

1316                   “(5) The number of emergency medical services personnel training hours  
1317 provided, including all pediatric training conducted pursuant to a memorandum of understanding  
1318 between the Department and the pediatric training entity;

1319                   “(6) The average time that the Department’s ambulances remained out of service  
1320 while waiting to transfer the care of a patient to a healthcare facility; and

1321                   “(7) The number of patients who used the Department’s transport service twice or  
1322 more during the reporting period, including the number of times the patient used transport  
1323 services during the previous 12 months.

1324                   “(f) By June 12, 2016, and quarterly thereafter, the Office of Unified Communications  
1325 shall submit a report to the Council that includes the following information:

1326                   “(1) The number of calls dispatched, and the average dispatch time;

1327                   “(2) The average time within which the Department and the third-party  
1328 contractor’s ambulances reported arriving at a healthcare facility with a patient and returning to  
1329 service;

1330                   “(3) The protocol to reroute non-emergency calls; and

1331                   “(4) The average time between the on-scene arrival of the third-party contractor’s  
1332 ambulance to the time the third-party contractor is at the patient’s side.

1333                   “(g) By February 12, 2017, and annually thereafter, until the Department is no longer  
1334 contracting with a third-party contractor pursuant to subsection (b)(2) of this section, the  
1335 Department shall submit a report to the Council that evaluates performance under the contract  
1336 and includes the following information:

1337                   “(1) The impact on the Department’s unit availability;

1338                   “(2) The impact on the Department’s fleet, including the ability to conduct  
1339 preventative maintenance and the number of operational and reserve units available;

1340                   “(3) The impact on the Department’s training schedule;

1341                   “(4) The impact on the Department’s response times and quality of patient care;

1342                   “(5) An assessment of the number of units, the number of personnel, the amount  
1343 of training, and associated costs required to provide pre-hospital medical care and transportation  
1344 without the use of third parties; and

1345                   “(6) Recommendations for implementing any additional units, personnel, and  
1346 training identified in paragraph (5) of this subsection.

1347                   “(h) For the purposes of this section, the term:

1348                   “(1) “Basic Life Support” means a level of medical care provided by pre-hospital  
1349 emergency medical services at the basic emergency response technician level and in accordance  
1350 with the national scope of practice for a basic level provider.

1351                   “(2) “Patient care report” means a paper or electronic document that details the  
1352 patient’s pre-hospital status and condition and medication administered by a member of the  
1353 Department or third-party contractor, from the time of the emergency call to the handover of the  
1354 patient to a healthcare facility.”.

1355                   (b) A new section 1b is added to read as follows:

1356                   “Sec. 1b. Public duty doctrine.

1357                   “The Council ratifies the interpretation and application of the public duty doctrine by the  
1358 District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen*  
1359 *v. District of Columbia*, No. 1 O-CV-1425, and extends the public duty doctrine to claims against  
1360 the District for the actions of contractors and their employees providing services under section 1  
1361 to the same extent as it applies to the District and its employees.”.

1362                   Sec. 3073. Applicability.

1363                   Section 3072(b)(3) through (c) shall expire on September 30, 2019..

1364                   **SUBTITLE I. COMMUNITY PARAMEDICINE TASK FORCE**

1365                   Sec. 3081. Short title.

1366                   This subtitle may be cited as the “Pilot Community Paramedicine Program Establishment  
1367 Act of 2016”.

1368                   Sec. 3082. An Act To classify the officers and members of the fire department of the  
1369 District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official  
1370 Code § 5-401 *et seq.*), is amended by adding a new section 3b to read as follows:

1371 “Sec. 3b. Pilot Community Paramedicine Task Force.

1372 “(a) The Fire and Emergency Medical Services Department shall establish a Pilot  
1373 Community Paramedicine Task Force to study nationally recognized best practices and develop  
1374 recommendations regarding the need for, creation of, and implementation of a pilot community  
1375 paramedicine program designed to reduce call volume, improve EMS delivery, and provide for  
1376 collaboration between agencies, hospitals, and community-based organizations to deliver EMS  
1377 or facilitate patients with appropriate social services.

1378 “(b) The Task Force shall:

1379 “(1) Determine the usefulness of advice nurses, tele-medicine or tele-health  
1380 techniques;

1381 “(2) Create a plan for the District, in conjunction with nonprofits, to provide  
1382 additional EMS professionals, hospitals, and emergency health professionals to meet the needs  
1383 identified by the Task Force;

1384 “(3) Determine the cost of funding for a pilot community paramedicine program,  
1385 including consideration of federal grants;

1386 “(4) Determine how the Department’s members who are not firefighters will be  
1387 best utilized for EMS reform;

1388 “(5) Make recommendations as to how the pilot community paramedicine  
1389 program can best educate the community on medical conditions and resources;

1390 “(6) Make recommendations to reduce 911 call volume;

1391 “(7) Develop reporting requirements, performance measurements, or patient  
1392 surveys that should be used by a pilot community paramedicine program created by the Task  
1393 Force;

1394                   “(8) Determine the District agency best suited to manage and operate a pilot  
1395 community paramedicine program created by the Task Force;

1396                   “(9) Establish criteria that will enable the District to train and equip members of  
1397 the Department to provide pediatric care;

1398                   “(10) Determine how the Department can best partner with hospitals and the  
1399 Department of Health to link patients to social services, while considering the use of technology  
1400 and data sharing consistent with the Health Insurance Portability and Accountability Act of 1996,  
1401 approved August 21, 1996 (110 Stat. 1936; 42 U.S.C. § 1320d, *et seq.*) (“Act”), and the  
1402 regulations issued pursuant to the Act;

1403                   “(11) Make recommendations for the Department and the Department of  
1404 Behavioral Health with the goal of reducing chronic misuse of 911;

1405                   “(12) Determine whether a pilot community paramedicine program established  
1406 by the Task Force should be a self-sustaining independent entity that links hospitals, practice  
1407 pharmacies, community health centers, schools, behavioral health services, public health  
1408 services, nursing homes, and home health services; and

1409                   “(13) Determine whether the paramedicine pilot program or pilot program  
1410 created by the Task Force should employ case managers who are notified when a patient comes  
1411 in contact with social service or EMS providers.

1412                   “(c) The Task Force shall be comprised of the following:

1413                   “(1) One representative from a District-based college or university that provides  
1414 EMS services;

1415                   “(2) One representative from a governmental or agency-based EMS program;

1416                   “(3) Two representatives from organizations for which the primary purpose of the  
1417 organization is to provide services, education, or outreach to underserved populations with gaps  
1418 in EMS or health services;

1419                   “(4) Two representatives from the Emergency Medical Services Advisory  
1420 Committee, established by section 23 of the Emergency Medical Services Act of 2008, effective  
1421 March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22);

1422                   “(5) Two labor representatives, one from each labor organization affiliated with  
1423 the Department;

1424                   “(6) One representative from each hospital located in the District; and

1425                   “(7) Two medical doctors that practice in the District, one of which is a pediatric  
1426 doctor.

1427                   “(d)(1) By September 30, 2018, the Task Force shall submit a report to the Mayor and to  
1428 the Council that includes the results of the assessments, developments, and recommendations  
1429 completed pursuant to subsection (b) of this section.

1430                   “(2) The Task Force shall dissolve after transmitting its report under paragraph (1)  
1431 of this subsection.

1432                   “(e) For the purposes of this section, the term:

1433                   “(1) “Department” means the Fire and Emergency Medical Services Department.

1434                   “(2) “EMS” means emergency medical services.

1435                   “(3) “Pilot community paramedicine program” means a program focused on  
1436 providing emergency medical services in an out-of-hospital setting and designed to improve a  
1437 particular medical condition, provide episodic patient evaluation, offer advice, and administer  
1438 treatment within the scope of practice of the emergency medical services provider.

1439           “(4) “Practice pharmacies” means pharmacies that optimize health outcomes from  
1440 drug related treatments, research safe and effective drug use, and develop practices that  
1441 maximize patient benefit from medications.

1442           “(5) “Task Force” means the Pilot Community Paramedicine Task Force established  
1443 pursuant to this section.”.

1444           Sec. 3083. Section 3082 shall expire on September 30, 2018.

1445           **SUBTITLE. J. OAG LITIGATION SUPPORT FUND AND AUTHORITY**

1446           **CLARIFICATION**

1447           Sec. 3091. Short title.

1448           This subtitle may be cited as the “Office of the Attorney General Litigation Support Fund  
1449 and Authority Clarification Amendment Act of 2016”.

1450           Sec. 3092. The Attorney General for the District of Columbia Clarification and Elected  
1451 Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code  
1452 § 1-301.81 *et seq.*), is amended as follows:

1453           (a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)), is amended by striking the  
1454 phrase “\$1.5 million” both times it appears and inserting the phrase “\$3 million” in its place.

1455           (b) Section 108b (D.C. Official Code § 1-301.88b) is amended as follows:

1456                   (1) Designate the existing text as subsection (a).

1457                   (2) A new subsection (b) is added to read as follows:

1458                   “(b)(1) The Attorney General shall issue rules to govern the procurement of goods and  
1459 services for the Office of the Attorney General.

1460                   “(2) The rules promulgated pursuant to section 1106 of the Procurement Practices  
1461 Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06),

1462 shall apply to procurement of goods and services for the Office of the Attorney General unless  
1463 the Attorney General has issued a superseding rule or regulation.”.

1464 (c) A new section 112 is added to read as follows:

1465 “Sec. 112. Attorney General notification on enforcement of laws.

1466 “(a) An independent agency shall notify the Attorney General of any judicial or  
1467 administrative proceeding in which the independent agency is a named party when the judicial or  
1468 administrative proceeding includes a challenge to:

1469 “(1) The legality of a District or federal statute or regulation;

1470 “(2) The constitutionality of a final agency decision or any action taken by the  
1471 independent agency; or

1472 “(3) The statutory authority of the independent agency to act.

1473 “(b) An independent agency shall notify the Attorney General before commencing, or  
1474 filing a pleading seeking leave to participate as a party or *amicus curiae* in, a judicial or  
1475 administrative proceeding that includes a challenge as provided in subsection (a) of this section.

1476 “(c) An independent agency shall provide notice as required by this section as early as  
1477 practicable, but in no event later than:

1478 “(1) Seven business days after receiving notice of the judicial or administrative  
1479 proceeding; or

1480 “(2) If a challenge or potential challenge requiring notice under subsection (b) of  
1481 this section arises during the course of a judicial or administrative proceeding, 3 business days  
1482 after becoming aware of the challenge or potential challenge.

1483 “(d) For the purposes of this section, the term “independent agency” means any office,  
1484 department, division, board, commission, or instrumentality of the District of Columbia

1485 government with respect to which the Mayor and the Council are not authorized by law to  
1486 establish administrative procedures, and that is not represented by the Attorney General in a  
1487 judicial or administrative proceeding in which the office, department, division, board,  
1488 commission or instrumentality is participating as a named party or *amicus curiae*. The term  
1489 “independent agency” does not include the Council, the District of Columbia Superior Court, or  
1490 the Court of Appeals for the District of Columbia.

1491           Sec. 3093. Section 404 of the District of Columbia Government Comprehensive Merit  
1492 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
1493 604.04), is amended by adding a new subsection (a-1) to read as follows:

1494           “(a-1)(1) The Attorney General shall issue rules and regulations to implement the  
1495 provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX,  
1496 XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney  
1497 General.

1498           “(2) The rules and regulations promulgated pursuant to subsection (a) of this  
1499 section shall apply to employees under the jurisdiction of the Attorney General unless the  
1500 Attorney General has issued a superseding rule or regulation.”.

1501           Sec. 3094. Section 3(b) of the Prohibition on Government Employee Engagement in  
1502 Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code §  
1503 1-1171.02(b)), is amended as follows:

1504           (a) The lead-in language is amended by striking the word “Mayor” and inserting the  
1505 phrase “Mayor, the Attorney General,” in its place.

1506           (b) Paragraph (2) is amended to read as follows:

1507                   “(2) Any designation pursuant to this subsection shall be made in writing by the  
1508 Mayor and the Attorney General to the Secretary of the District of Columbia and by any member  
1509 of the Council to the Secretary to the Council;”.

1510                   (c) Paragraph (4) is amended by striking the word “Mayor” and inserting the phrase  
1511 “Mayor, the Attorney General,” in its place.

1512                   **SUBTITLE K. PUBLIC SAFETY TECHNICAL AMENDMENTS**

1513                   Sec. 3101. Short title.

1514                   This subtitle may be cited as the “Public Safety Technical Amendments Act of 2016”.

1515                   Sec. 3102. The Neighborhood Engagement Achieves Results Amendment Act of 2016,  
1516 enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659), is amended as follows:

1517                   (a) Section 102 (c) is amended to read as follows:

1518                   “(c) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE  
1519 shall provide a report to the Council that excludes personally identifying information and  
1520 includes the following information from the reporting period and in the aggregate:

1521                   “(1) The number of individuals successfully recruited and engaged;

1522                   “(2) The duration of individuals’ participation;

1523                   “(3) The status of participants’ progress; and

1524                   “(4) The participants’ age, race or ethnicity, gender, and ward of residence.”.

1525                   (b) Section 901(a) is amended to read as follows:

1526                   “(a) Sections 101, 102, 103, 104(b)(3), 105, and 204 shall apply upon the inclusion of  
1527 their fiscal effect in an approved budget and financial plan.”.

1528           Sec. 3103. Subsection 2213.1 of Chapter 22 of Title 18 of the District of Columbia  
1529 Municipal Regulations (18 DCMR § 2213.1) is amended by striking the phrase “front, sides, or  
1530 back of the vehicle” and inserting the phrase “front or sides of the vehicle” in its place.

1531           Sec. 3104. The Fair Criminal Record Screening Amendment Act of 2014, effective  
1532 December 17, 2014 (D.C. Law 20-152; D.C. Official Code § 32-1341 *et seq.*), is amended by  
1533 adding a new section 6a to read as follows:

1534           “Sec. 6a. Rules.

1535           “The Director of the Office of Human Rights, pursuant to Title I of the District of  
1536 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
1537 Official Code §2-501 *et seq.*), shall issue rules to implement the provisions of this act.”.

1538           **SUBTITLE L. CPR EMERGENCY MEDICAL APPLICATION**

1539           Sec. 3111. Short title.

1540           This subtitle may be cited as the “Cardiopulmonary Resuscitation Application  
1541 Establishment Act of 2016”.

1542           Sec. 3112. The Office of Unified Communications Establishment Act of 2004, effective  
1543 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended as  
1544 follows:

1545           (a) A new section 3205a is added to read as follows:

1546           “Sec. 3205a. Development of emergency medical application.

1547           “(a) The Office shall develop an emergency medical application to aid a trained user in  
1548 providing cardiopulmonary resuscitation to an individual reported to be exhibiting signs of  
1549 cardiac arrest while emergency medical service providers are dispatched to the individual’s  
1550 location. At a minimum, the emergency medical application shall:

1551                   “(1) Notify a trained user that he or she is within a certain distance from an  
1552 individual that is experiencing a cardiac arrest in a public location;

1553                   “(2) Notify a trained user of the nearest location of a publicly accessible  
1554 defibrillator;

1555                   “(3) Assist emergency medical service providers in monitoring patients or  
1556 relaying information to hospital emergency rooms; and

1557                   “(4) Allow a trained user to alert the Office if an individual is experiencing a  
1558 health emergency.

1559                   “(b) The Director shall ensure that staff are adequately trained to assist trained users in  
1560 the use of the emergency medical application.

1561                   “(c) Notwithstanding any other law, a trained user shall have the same protections as  
1562 provided in section 1 of An Act To relieve physicians of liability for negligent medical treatment  
1563 at the scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat.  
1564 1302; D.C. Official Code § 7-401), and shall not be subject to criminal or, in the absence of gross  
1565 negligence, civil liability for administering cardiopulmonary resuscitation or using an automated  
1566 external defibrillator pursuant to this subtitle:

1567                   “(1) In good faith to treat a person who he or she reasonably believes is  
1568 experiencing a cardiac arrest;

1569                   “(2) Outside of a hospital or medical office; and

1570                   “(3) Without the expectation of receiving or intending to seek compensation for  
1571 such service or acts.

1572                   “(d) For purposes of this section, the term:

1573                   “(1) “Emergency medical application” means a website or mobile platform where  
1574 trained users can interact with the Office during medical emergencies.

1575                   “(2) “Trained user” means a District resident or visitor using an emergency  
1576 medical application who has been trained by an organization recognized by the Department of  
1577 Health to provide cardiopulmonary resuscitation to a victim of a cardiac arrest.”.

1578                   **SUBTITLE M. ESTABLISHMENT OF CRIMINAL CODE REFORM**

1579                   **COMMISSION**

1580                   Sec. 3121. Short title.

1581                   This subtitle may be cited as the “Criminal Code Reform Commission Establishment Act  
1582 of 2016”.

1583                   Part 1. Establishment of Criminal Code Reform Commission

1584                   Sec. 3122. Establishment of the Criminal Code Reform Commission.

1585                   (a) The Criminal Code Reform Commission (“Commission”) is established as an  
1586 independent agency within the District of Columbia government, consistent with the meaning of  
1587 the term “independent agency” as provided in section 301(13) of the District of Columbia  
1588 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-  
1589 139; D.C. Official Code § 1-603.01(13)).

1590                   (b) The Commission shall be composed of the Executive Director and such staff as  
1591 necessary to complete the work of the Commission.

1592                   (c)(1) Except as provided in paragraph (2) of this subsection, the Executive Director  
1593 shall be appointed by the Chairman of the Council, subject to the approval of the majority of the  
1594 Council. The Executive Director shall serve for a term of 3 years, or until the Commission is

1595 dissolved pursuant to section 3127, and shall be paid a rate of compensation as may be  
1596 established from time to time by the Council.

1597 (2) Notwithstanding paragraph (1) of this subsection, as of the effective date of  
1598 this subtitle, the Criminal Code Revision Project Director of the District of Columbia Sentencing  
1599 and Criminal Code Revision Commission shall be the Executive Director of the Commission.

1600 (d) The Executive Director shall:

- 1601 (1) Be a member in good standing of the District of Columbia Bar;  
1602 (2) Be responsible for and oversee the daily operations of the Commission;  
1603 (3) Supervise Commission staff; and  
1604 (4) Develop and institute internal policies, procedures, and processes to ensure  
1605 efficient operations.

1606 (e)(1) Except as provided in paragraph (2) of this subsection, all employees of the  
1607 Commission shall be, or shall become within 180 days after hire, a resident of the District of  
1608 Columbia

1609 (2) Notwithstanding paragraph (1) of this subsection, the Executive Director as of  
1610 the effective date of this subtitle shall be exempt from the residency requirement in paragraph (1)  
1611 of this subsection.

1612 Sec. 3123. Recommendations for Comprehensive Criminal Code Reform.

1613 (a) By October 1, 2018, the Commission shall submit to the Mayor and the Council  
1614 comprehensive criminal code reform recommendations that revise the language of the District's  
1615 criminal statutes to:

- 1616 (1) Use clear and plain language;  
1617 (2) Apply consistent, clearly articulated definitions;

- 1618 (3) Describe all elements, including mental states, that must be proven;
- 1619 (4) Reduce unnecessary overlap and gaps between criminal offenses;
- 1620 (5) Eliminate archaic and unused offenses;
- 1621 (6) Adjust penalties, fines, and the gradation of offenses to provide for  
1622 proportionate penalties;
- 1623 (7) Organize existing criminal statutes in a logical order;
- 1624 (8) Identify any crimes defined in common law that should be codified, and  
1625 propose recommended language for codification, as appropriate;
- 1626 (9) Identify criminal statutes that have been held to be unconstitutional and  
1627 recommend their removal or amendment;
- 1628 (10) Propose such other amendments as the Commission believes are necessary;  
1629 and
- 1630 “(11) Enable the adoption of Title 22 as an enacted title of the District of  
1631 Columbia Official Code.
- 1632 (b) The comprehensive criminal code reform recommendations required by subsection  
1633 (a) of this section shall be in the form of a report that:
- 1634 (1) Includes draft legislation or other specific steps for implementing the  
1635 recommendations;
- 1636 (2) Includes charging, sentencing, and other relevant statistics regarding the  
1637 offenses affected by the recommendations; and
- 1638 (3) Explains how and why the recommendations change existing District law.
- 1639 (c) In preparing comprehensive criminal code reform recommendations as required by  
1640 subsection (a) of this section, the Commission shall:

1641 (1) Consult with the Code Revision Advisory Group established pursuant to  
1642 section 3124; and

1643 (2) Review criminal code reforms in other jurisdictions, recommend changes to  
1644 criminal offenses by the American Law Institute, and survey best practices recommended by  
1645 criminal law experts.

1646 (d) The Commission shall, upon request by the Council, provide a legal analysis of  
1647 proposed legislation concerning criminal offenses, including information on existing District  
1648 law, the laws of other jurisdictions, and model legislation.

1649 (e) The Commission may consult with other District of Columbia, federal, and state  
1650 agencies, conduct community outreach, perform trainings, and engage in other activities  
1651 regarding criminal code reform to advance the Commission’s statutory duties.

1652 (f) The Commission may request such information as may be necessary to fulfill its  
1653 statutory responsibilities. Each department, agency, instrumentality, or independent agency of  
1654 the District of Columbia is authorized and directed, to the extent permitted by law, to furnish the  
1655 Commission with such requested information.

1656 Sec. 3124. Code Revision Advisory Group.

1657 (a) The Commission shall establish a Code Revision Advisory Group (“Advisory  
1658 Group”) to review and provide information and suggestions on proposals prepared by the  
1659 Commission related to the comprehensive criminal code reform recommendations required by  
1660 section 3123. The Advisory Group shall consist of 5 voting members and 2 nonvoting members  
1661 as follows:

1662 (1) The voting members of the Advisory Group shall consist of the following:

1663 (A) The United States Attorney for the District of Columbia or his or her  
1664 designee;

1665 (B) The Director of the Public Defender Service for the District of  
1666 Columbia or his or her designee;

1667 (C) The Attorney General for the District of Columbia or his or her  
1668 designee; and

1669 (D) Two professionals from established organizations, including  
1670 institutions of higher education, devoted to the research and analysis of criminal justice issues,  
1671 appointed by the Council;

1672 (2) The non-voting members of the Commission shall consist of the following:

1673 (A) The Chairperson of the Council committee with jurisdiction over the  
1674 Commission or his or her designee; and

1675 (B) The Deputy Mayor for Public Safety and Justice or his or her  
1676 designee.

1677 (b) Meetings of the Advisory Group shall be conducted by the Commission's Executive  
1678 Director, with meetings scheduled by the Executive Director as necessary to fulfill the statutory  
1679 responsibilities of the Commission.

1680 (c) The Commission shall provide drafts of its recommended reforms to criminal statutes  
1681 to the Advisory Group in the form of reports. Advisory Group members may provide to the  
1682 Commission written comments in response to those recommendations within a reasonable period  
1683 of time, to be determined by the Executive Director, but not less than one month.

1684 (d) The Commission shall consider all written comments that are timely received from  
1685 Advisory Group members under subsection (a) of this section and propose all final  
1686 recommendations to the Council based on the comments received.

1687 (e) The voting members of the Advisory Group shall vote to approve the final  
1688 recommendations proposed by the Commission, with a majority of voting members necessary to  
1689 approve the recommendations, prior to their submittal to the Council and the Mayor under  
1690 section 3123(a).

1691 (f) The Commission shall compile and make publicly available a record of all written  
1692 comments received from Advisory Group members under subsection (a) of this section.

1693 Sec. 3125. Reporting requirements.

1694 (a) The Commission shall file quarterly reports with the Council that provide a summary  
1695 of activities during the prior quarter.

1696 (b) The Commission shall file an annual report with the Council before March 31 of each  
1697 year that includes:

1698 (1) A summary and copy of all recommendations for reforms to criminal statutes  
1699 developed by the Commission during the previous calendar year;

1700 (2) A summary and copy of comments received from the Advisory Group during  
1701 the previous calendar year and their disposition;

1702 (3) A summary of other Commission activities during the previous calendar year;

1703 (4) A description of any problems discovered with prior Commission work or  
1704 changes to prior work that are necessary due to legislative changes or court rulings;

1705 (5) A description of any issues that could delay or prevent the Commission from  
1706 timely fulfilling its statutory duties; and

1707 (6) A work plan and schedule, or revisions to an existing work plan and schedule,  
1708 for carrying out the responsibilities of the Commission to meet statutory requirements.

1709 Sec. 3126. Transition from District of Columbia Sentencing and Criminal Code Revision  
1710 Commission.

1711 (a) All functions, authority, programs, positions, personnel, property, records, and  
1712 unexpended balances of appropriations, allocations, and other funds available or to be made  
1713 available to the Criminal Code Revision Project previously established pursuant to section 2a of  
1714 the Advisory Commission on Sentencing Establishment Act of 1998, effective June 16, 2006  
1715 (D.C. Law 16-126; D.C. Official Code 3-101.01), are transferred to the Criminal Code Revision  
1716 Commission.

1717 (b) All rules, orders, obligations, determinations, grants, contracts, licenses, and  
1718 agreements of the Criminal Code Revision Project transferred to the Criminal Code Revision  
1719 Commission under subsection (a) of this section shall continue in effect according to their terms  
1720 until lawfully amended, repealed, or modified.

1721 Sec. 3127. Sunset.

1722 This part shall expire on October 1, 2018.

## 1723 Part 2. Conforming Amendments

1724 Sec. 3128. The Advisory Commission on Sentencing Establishment Act of 1998,  
1725 effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended  
1726 as follows:

1727 (a) Section 2 (D.C. Official Code § 3-101) is amended as follows:

1728 (1) The section heading is amended by striking the phrase “and Criminal Code  
1729 Revision”.

1730 (2) Subsection (a) is amended by striking the phrase “and Criminal Code  
1731 Revision”.

1732 (3) Subsection (b) is amended by striking the phrase “In addition to the duties  
1733 required under section 2a, the” and inserting the word “The” in its place.

1734 (b) Section 2a (D.C. Official Code § 3-101.01) is repealed.

1735 (c) Section 3 (D.C. Official Code § 3-102) is amended as follows:

1736 (1) Subsection (a) is amended by striking the number “15” and inserting the  
1737 number “12” in its place.

1738 (2) Paragraph (a)(1) is amended as follows:

1739 (A) Subparagraph (H) is amended by striking the semicolon and inserting  
1740 the phrase “; and” in its place.

1741 (B) Subparagraph (I) is amended by striking the phrase “; and” and  
1742 inserting a period in its place.

1743 (C) Subparagraph (J) is repealed.

1744 (d) Section 4 (D.C. Official Code § 3-103) is amended as follows:

1745 (1) Subsection (c) is amended by striking the number “8” and inserting the  
1746 number “7” in its place.

1747 Sec. 3129. Section 406(b) of the District of Columbia Government Comprehensive Merit  
1748 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
1749 604.06(b)), is amended as follows:

1750 (1) Paragraph (19) is amended to read as follows:

1751 “(19) For employees of the District of Columbia Sentencing Commission, the  
1752 personnel authority is the District of Columbia Sentencing Commission;”.

1753                   (2) Paragraph (23) is amended by striking the phrase “; and” and inserting a  
1754 semicolon in its place.

1755                   (3) Paragraph (24) is amended by striking the period and inserting the  
1756 phrase “; and” in its place.

1757                   (4) A new paragraph (25) is added to read as follows:

1758                   “(25) For employees of the Criminal Code Revision Commission, the personnel  
1759 authority is the Criminal Code Revision Commission.”.

1760                   **SUBTITLE N. DOC INMATE AND RETURNING CITIZEN ASSISTANCE**

1761                   Sec. 3131. Short title.

1762                   This subtitle may be cited as the “DOC Inmate and Returning Citizen Assistance Act of  
1763 2016”.

1764                   Sec. 3132. DOC inmate and returning citizen assistance grant.

1765                   (a) In Fiscal Year 2017 and each fiscal year thereafter, of the annual funds available to  
1766 the Office of Justice Grants Administration (“Office”), no less than \$125,000 shall be awarded to  
1767 help fund an organization that assists inmates at the DC Jail or Correctional Treatment Facility  
1768 and recently released inmates.

1769                   (b) The grants provided under subsection (a) of this section shall be awarded in their  
1770 entirety as early in the fiscal year as is feasible. The Office shall not provide the grant funds on a  
1771 reimbursement basis.

1772                   **TITLE IV. PUBLIC EDUCATION**

1773                   **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**  
1774 **SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

1775                   Sec. 4001. Short title.

1776 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
 1777 Amendment Act of 2016”.

1778 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
 1779 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
 1780 38-2901 *et seq.*), is amended as follows:

1781 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase  
 1782 “\$9,492 per student for fiscal year 2015” and inserting the phrase "\$9,682 per student for Fiscal  
 1783 Year 2017" in its place.

1784 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
 1785 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2017
“Pre-Kindergarten 3	1.34	\$12,974
“Pre-Kindergarten 4	1.30	\$12,587
“Kindergarten	1.30	\$12,587
“Grades 1-5	1.00	\$9,682
“Grades 6-8	1.08	\$10,457
“Grades 9-12	1.22	\$11,812
“Alternative program	1.44	\$13,942
“Special education school	1.17	\$11,328
“Adult	0.89	\$8,617

1786  
 1787 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

1788 “(c) The supplemental allocations shall be calculated by applying weightings to the  
 1789 foundation level as follows:

1790 “Special Education Add-ons:

1791

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017

“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,392
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,618
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$19,074
“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	\$33,790
“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	\$668
“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	\$862
“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	\$16,169

1792  
 1793  
 1794

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“ELL	Additional funding for English Language Learners.	0.49	\$4,744
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,120

1795  
1796  
1797

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“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	\$3,563
“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	\$12,945
“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	\$27,991

“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	2.891	\$27,991
“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	\$6,468

1798

1799

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

1800

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

1801

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$610
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,198

“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$4,754
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who ESY services in their IEPs	0.491	\$4,754

1802 .”.

1803 (d) Section 115 (D.C. Official Code § 38-2913) is amended as follows:

1804 (1) Strike the phrase “Fiscal Year 2017” and insert the phrase “Fiscal Year 2020”  
 1805 in its place.

1806 (2) Strike the word “equal” and insert the word “equitable” in its place.

1807 **SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY**

1808 **AMENDMENT**

1809 Sec. 4011. Short title.

1810 This subtitle may be cited as the “DCPS Contracting and Spending Flexibility  
 1811 Amendment Act of 2016”.

1812 Sec. 4012. Reallocation and use of District of Columbia Public Schools funds.

1813 (a) Pursuant to rules promulgated by the Chief Financial Officer, each school in the  
 1814 District of Columbia Public Schools (“DCPS”) may reallocate funds between object classes  
 1815 within a school’s non-personal services object category in the aggregate not-to-exceed amount of  
 1816 \$10,000 within each fiscal year.

1817 (b) DCPS is authorized to spend appropriated funds to pay for DCPS-sponsored student  
1818 travel, including the cost of transportation, lodging, meals, and admission fees for students and  
1819 adult chaperones, to locations and venues outside DCPS facilities in accordance with rules  
1820 promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public  
1821 Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C.  
1822 Official Code § 38-174(c)(5)), provided that, such travel is related to students’ curriculum or is  
1823 for the purpose of rewarding student curricular or extra-curricular achievement.

1824 (c) For the purposes of this section, the terms “object category” and “object class” shall  
1825 have the same meanings as provided in D.C. Official Code § 47-361(9) and (10), respectively.

1826 Sec. 4013. Section 105(c)(5) of the District of Columbia Public Education Reform  
1827 Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-  
1828 174(c)(5)), is amended by striking the semicolon at the end and inserting the phrase “, including  
1829 rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel,  
1830 including the cost of transportation, lodging, meals, and admission fees for students and adult  
1831 chaperones, to locations and venues outside DCPS facilities; provided that, such travel is related  
1832 to students’ curriculum or is for the purpose of rewarding student curricular or extra-curricular  
1833 achievement;” in its place.

1834 **SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES**

1835 Sec. 4021. Short title.

1836 This subtitle may be cited as the “Classroom Animal for Educational Purposes  
1837 Amendment Act of 2016”.

1838           Sec. 4022. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979  
1839 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to  
1840 read as follows:

1841           “(6) Paragraph (1) of this subsection shall not apply to educational institutions  
1842 that possess animals for educational and instructional purposes and that otherwise comply with  
1843 humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal  
1844 Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C.  
1845 Official Code § 8-1851.02), and permitting requirements promulgated by the Mayor.”.

1846           **SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS**

1847           Sec. 4031. Short title.

1848           This subtitle may be cited as the “Healthy Tots Amendment Act of 2016”.

1849           Sec. 4032. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155;  
1850 D.C. Official Code § 38-281 *et seq.*), is amended as follows:

1851           (a) Section 4073(c)(1)(B) (D.C. Official Code § 38-282(c)(1)(B)) is amended as follows:

1852           (1) Strike the word “breakfast” wherever it appears and insert the word “meals” in  
1853 its place.

1854           (2) Strike the phrase “to receive free or reduced meals” and insert the phrase “for  
1855 subsidized child care” in its place.

1856           (b) Section 4073a (D.C. Official Code § 38-282.01) is amended as follows:

1857           (1) Subsection (a) is amended by striking the phrase “to participate in the CACF  
1858 Program, the facility shall participate in the program” and inserting the phrase “for subsidized  
1859 child care, the facility shall participate in the CACF Program” in its place.

1860 (2) Subsection (c) is amended by striking the phrase “September 30, 2016” and  
1861 inserting the phrase “September 30, 2017” in its place.

1862 **SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM**

1863 Sec. 4041. Short title.

1864 This subtitle may be cited as the “National External Diploma Program Amendment Act  
1865 of 2016”.

1866 Sec. 4042. Section 7b of the State Education Office Establishment Act of 2000, effective  
1867 June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2608), is amended by adding a new  
1868 subsection (g) to read as follows:

1869 “(g) OSSE shall deem valid all diplomas awarded to residents who completed the  
1870 requirements of the National External Diploma Program from January 1, 1980 through February  
1871 5, 2016, in the District of Columbia.”.

1872 **SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY**

1873 Sec. 4051. Short title.

1874 This subtitle may be cited as the “Foster Care Extended Eligibility Amendment Act of  
1875 2016”.

1876 Sec. 4052. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999  
1877 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

1878 (a) Paragraph (4) is amended by striking the phrase "services; and" and inserting the  
1879 phrase "services;" in its place.

1880 (b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase  
1881 “child;” in its place.

1882 (c) New paragraphs (6), (7), and (8) are added to read as follows:

1883                   “(6) Children of a teen parent under 21 years of age who is either in foster care or  
1884 a ward of the District and is either working or enrolled in a verified job training or education  
1885 program;

1886                   “(7) Children in foster care placement when the foster care provider is not  
1887 working but receives some form of verifiable income, such as social security or disability, and  
1888 the child care services are in the best interest of the child; and

1889                   “(8) Children in foster care placement when the foster care provider is not  
1890 working but enrolled in a verified job training or education program, and the child care services  
1891 are in the best interest of the child.”.

1892                   **SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT**

1893                   **ADJUSTMENT**

1894                   Sec. 4061. Short title.

1895                   This subtitle may be cited as the "Public Charter School Advance Payment Adjustment  
1896 Amendment Act of 2016".

1897                   Sec. 4062. Section 107b(b) of the Uniform Per Student Funding Formula for Public  
1898 Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348;  
1899 D.C. Official Code § 38-2906.02(b)), is amended as follows:

1900                   (a) Paragraph (1) is amended by striking the phrase “and shall be 30% of the school’s  
1901 entitlement” and inserting the phrase “and shall be 35% of an existing school's entitlement, and  
1902 45% of the entitlement for a newly chartered school in its first school year of operation" in its  
1903 place.

1904                   (b) Paragraph (2) is amended by striking the phrase “and shall be equal to 55% of the  
1905 school’s entitlement less amounts paid in July” and inserting the phrase “and shall be equal to

1906 60% of an existing school's entitlement and 70% of the entitlement for a newly chartered school  
1907 in its first school year of operation, less amounts paid in July" in its place.

1908 (c) Paragraph (3) is amended by striking the phrase “and shall be equal to 80% of the  
1909 school’s entitlement less amounts paid in July and October” and inserting the phrase “and shall  
1910 be equal to 80% of an existing school's entitlement and 85% of the entitlement for a newly  
1911 chartered school in its first school year of operation, less amounts paid in July and October" in its  
1912 place.

1913 **SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING**  
1914 **AND COMMON LOTTERY BOARD AMENDMENT**

1915 Sec. 4071. Short title.

1916 This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising  
1917 and Common Lottery Board Amendment Act of 2016".

1918 Sec. 4072. Section 4122 of the My School DC EdFest Sponsorship and Advertising Act  
1919 of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

1920 (a) Subsection (f) is amended by striking the phrase "December 31" and inserting the  
1921 phrase "April 30" in its place.

1922 (b) A new subsection (g) is added to read as follows:

1923 “(g)"The Chief Financial Officer shall deposit all cash proceeds received from  
1924 advertisements and sponsorships pursuant to this section into the Common Lottery Board Fund  
1925 established pursuant to section 206 of the Department of Education Establishment Act of 2007,  
1926 effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195).".

1927           Sec. 4073. Section 206 of the Department of Education Establishment Act of 2007,  
1928 effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195), is amended as  
1929 follows:

1930           (a) Subsection (b) is amended as follows:

1931                   (1) Paragraph (3) is amended by striking the phrase “; and” and inserting a  
1932 semicolon in its place.

1933                   (2) Paragraph (4) is amended by striking the period at the end and inserting the  
1934 phrase “; and” in its place.

1935                   (3) A new paragraph (5) is added to read as follows:

1936                           “(5) Cash proceeds for DC EdFest deposited pursuant to section 4122(g) of the  
1937 My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015  
1938 (D.C. Law 21-36; 62 DCR 10905).”.

1939           (b) Subsection (c) is amended to read as follows:

1940                   “(c) (1) Except as provided in paragraph (2) of this subsection, money in the Fund shall  
1941 be used for the continued development and improvement of the common lottery system.

1942                           “(2) Cash proceeds deposited pursuant to section 4122(g) of the My School DC  
1943 EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36;  
1944 62 DCR 10905), shall first be used to fund My School DC EdFest. Any excess funds shall be  
1945 used in accordance with paragraph (1) of this subsection.”.

1946           **SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT**

1947           **PERIOD AMENDMENT**

1948           Sec. 4081. Short title.

1949           This subtitle may be cited as the “School Immunization Requirements Enforcement  
1950 Period Amendment Act of 2016”.

1951           Sec. 4082. Section 6 of the Immunization of School Students Act of 1979, effective  
1952 September 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-505), is amended by striking the  
1953 phrase “ten (10) days” wherever it appears and inserting the phrase “20 school days” in its place.

1954           **SUBTITLE J. PUBLIC CHARTER SCHOOL AT-RISK AND LIMITED**  
1955 **ENGLISH PROFICIENT PAYMENT AMENDMENT**

1956           Sec. 4091. Short title.

1957           This subtitle may be cited as the “Public Charter At-Risk and Limited English Proficient  
1958 Payment Amendment Act of 2016”.

1959           Sec. 4092. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
1960 and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C.  
1961 Official Code § 38-2906.02), is amended as follows:

1962           (a) Subsection (d)(1) is amended as follows:

1963                   (1) Designate the existing text as subparagraph (A).

1964                   (2) The newly designated subparagraph (A) is amended to read as follows:

1965                           “(A) Payments for special education, limited English proficient students,  
1966 at-risk students, and other add-on components of the Funding Formula shall be included in the  
1967 quarterly payments to public charter schools.”.

1968                   (3) New subparagraphs (B) and (C) are added to read as follows:

1969                           “(B) Payments shall reflect one-quarter of the annual per student amount  
1970 for each add-on; provided, that add-ons for special education students shall be added on a pro-

1971 rata basis from the date on which a public charter school begins to provide add-on services for  
1972 such students, as set forth in subsection (g)(1) of this section.

1973                               “(C) Charter schools shall receive the full annual per pupil payment for  
1974 at-risk or limited English proficient students who are enrolled by October 5, but who are not  
1975 designated as at-risk or limited English proficient students until after October 5.”.

1976               (b) Subsection (g) is amended to read as follows:

1977               “(g)(1) Charter schools may receive payment on a pro-rata basis from the date on which  
1978 the school begins providing special education services to students enrolled by October 5, who are  
1979 identified as requiring an individualized education program (“IEP”) or as needing an increased  
1980 IEP after October 5.

1981                               “(2) Upon application to and at the discretion of the Chief Financial Officer, the  
1982 supplemental payments for the special education students available pursuant to paragraph (1) of  
1983 this subsection shall be disbursed in addition to the quarterly payments made pursuant to  
1984 subsection (a) of this section.”.

1985                               **SUBTITLE K. HIGHER EDUCATION LICENSURE COMMISSION**

1986                               **CLARIFICATION**

1987               Sec. 4101. Short title.

1988  
1989               This subtitle may be cited as the “Higher Education Licensure Commission Clarification  
1990 Amendment Act of 2016”.

1991               Sec. 4102. The Education Licensure Commission Act of 1976, effective April 6, 1977  
1992 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

1993               (a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

1994 (1) Paragraph (4)(C) is amended by striking the phrase “through agents offers”  
1995 and inserting the phrase “through agents or an online presence offers” in its place.

1996 (2) A new paragraph (17) is added to read as follows:

1997 “(17) “Reciprocity agreement” means an agreement joined by the District of  
1998 Columbia with other member states, districts, or U.S. territories that establishes national  
1999 standards for interstate offering of postsecondary distance education courses and programs.”.

2000 (b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the  
2001 phrase “45-day” both times it appears and inserting the phrase “14-day” in its place.

2002 (c) Section 7 (D.C. Official Code § 38-1307) is amended to read as follows:

2003 “Sec. 7. Higher Education Licensure Commission — Functions.

2004 “In addition to those duties specified in other sections of this act, the Commission shall:

2005 “(1) Advise the Mayor and the Council with respect to the postsecondary  
2006 educational needs of the District of Columbia;

2007 “(2) File with the Mayor and the Council quarterly reports relating to:

2008 “(A) The educational institutions granted or denied licenses under this act  
2009 during the reporting period; and

2010 “(B) Other matters that come under the Commission's purview;

2011 “(3) Receive, and cause to be maintained, copies of student academic records in  
2012 conformity with the following provisions:

2013 “(A) In the event an educational institution operating in the District, or any  
2014 educational institution licensed under this act operating outside of the District, proposes to  
2015 discontinue its operation and has no other repository for its records, the chief administrative  
2016 officer, by whatever title designated, of the institution shall cause to be filed with the

2017 Commission the original or legible true copies of all records of the institution specified by the  
2018 Commission. The records shall include, at a minimum, the academic records of each former  
2019 student;

2020                               “(B) The Commission shall maintain and dispose of the records in  
2021 accordance with the provisions of the District of Columbia Public Records Management Act of  
2022 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*).

2023 Academic records shall be maintained for at least 50 years from the date the student attended the  
2024 institution;

2025                               “(C) The Commission is authorized to charge an institution for all costs  
2026 involved in the transfer of records;

2027                               “(4)(A) In the event it appears to the Commission that the records of an institution  
2028 discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise  
2029 made unavailable to the Commission, the Commission may apply to the Superior Court of the  
2030 District of Columbia for an order authorizing the Commission to seize and take possession of the  
2031 records;

2032                               “(B) Any chief officer or member of a governing board of an institution  
2033 who willfully fails to comply with the provisions of this subsection or willfully aids and abets  
2034 any person in a scheme to avoid the requirements of this subsection may be held personally  
2035 liable for all costs and damages resulting from the conduct, in addition to other penalties  
2036 provided by this act.

2037                               “(5) Have the authority to enter into reciprocity agreements with other  
2038 jurisdictions that relate to the authorization of postsecondary educational institutions that provide  
2039 degree-granting or non-degree-granting online instruction to residents of the District; and

2040                   “(6) Have the authority to enter into agreements with degree-granting educational  
2041 institutions operating in the District of Columbia that are otherwise conditionally exempt  
2042 pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate  
2043 distance education delivery of higher education.”.

2044                   (d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

2045                   (1) Subsection (a-1) is repealed.

2046                   (2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

2047                   “(3) Paragraph (1) of this subsection shall not apply to a postsecondary  
2048 educational institution that provides degree-granting or non-degree-granting online instruction to  
2049 residents of the District through an online presence and that is authorized to operate in the  
2050 District pursuant to a reciprocity agreement.”.

2051                   (e) A new section 9a is added to read as follows:

2052                   “Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

2053                   “(a) A postsecondary educational institution may provide degree-granting or non-degree-  
2054 granting online instruction to residents of the District through an online presence.

2055                   “(b) An educational institution that provides degree-granting or non-degree-granting  
2056 online instruction to residents of the District through an online presence shall be deemed to be  
2057 operating in the District, and shall either be:

2058                   “(1) Licensed by the Commission in accordance with this act; or

2059                   “(2) Authorized to operate in the District pursuant to a reciprocity agreement.”.

2060                   **SUBTITLE L. TRAFFIC CONTROL INVESTIGATIONS FOR NEW SCHOOLS**

2061                   **AMENDMENT**

2062                   Sec. 4111. Short title.

2063 This subtitle may be cited as the “Traffic Control Investigation for New Schools  
2064 Amendment Act of 2016”.

2065 Sec. 4112. Section 2 of the School Proximity Traffic Calming Act of 2000, effective May  
2066 23, 2000 (D.C. Law 13-111, D.C. Official Code § 38-3101), is amended to read as follows:

2067 (a) Subsection (a) is amended by striking the word “Mayor” and inserting the phrase  
2068 “District Department of Transportation (“DDOT”)” in its place.

2069 (b) A new subsection (a-1) is added to read as follows:

2070 “(a-1)(1) Beginning July 31, 2016, the DDOT shall complete the investigation required in  
2071 subsection (a) of this section for a new school no later than 60 days after the first day on which  
2072 students begin classes at the school.

2073 “(2) The District of Columbia Public Schools and the Public School Charter  
2074 Board shall notify the DDOT of a new school no later than 90 days before the first day on which  
2075 students will begin classes at the school.

2076 “(3) For the purposes of this subsection, the term “new school” means:

2077 “(A) A school located in a never-before-occupied structure, except for a  
2078 structure erected in an existing school zone; or

2079 “(B) A school located in a preexisting structure that has not been used as a  
2080 District of Columbia public school or public charter school within the last 5 years.”.

2081 (c) Subsections (b), (c), (d), and (e)(2) are amended by striking the word “Mayor”  
2082 wherever it appears and inserting the word “DDOT” in its place.

2083 (d) A new subsection (d-1) is added to read as follows:

2084 “(d-1) A public charter school shall coordinate with the Metropolitan Police Department  
2085 to provide the DDOT with the information in subsection (c)(1) and (2) of this section within 15  
2086 days from the date of the request.”.

2087 (e) Subsection (f) is amended by striking the phrase “District Department of  
2088 Transportation” and inserting the word “DDOT” in its place.

2089 (f) Subsection (f-1) is amended to read as follows:

2090 “(f-1) The DDOT shall provide, by July 31st of each year, recommendations to the  
2091 Mayor, the Council, the Chancellor of the District of Columbia Public Schools, the Public  
2092 Charter School Board, and the Chief of the Metropolitan Police Department on the deployment  
2093 of school crossing guards, taking into account the impact of school closings and  
2094 reconfigurations, projected enrollment, traffic conditions, investigations conducted pursuant to  
2095 subsections (a) and (a-1) of this section, and all other relevant factors.”.

2096 **SUBTITLE M. EXCESS SCHOOL FACILITIES EXISTING TENANT**  
2097 **PREFERENCE**

2098 Sec. 4121. Short title.

2099 This subtitle may be cited as the “Excess School Facilities Existing Tenant Preference  
2100 Amendment Act of 2016”.

2101 Sec. 4122. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,  
2102 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by  
2103 adding a new subparagraph (B-i) to read as follows:

2104 “(B-i) *Existing tenants.* -- For the purposes of this paragraph, an existing  
2105 tenant of an excess school facility, other than an eligible entity, shall be deemed to be an eligible

2106 entity and given the same preference as an eligible entity under subparagraph (A)(ii)(II) of this  
2107 paragraph if:

2108                               “(i) The existing tenant is a nonprofit elementary or secondary  
2109 school incorporated in the District or a community-based, nonprofit arts education organization  
2110 incorporated in the District, whose programming includes youth classes; and

2111                               “(ii) The existing tenant has continuously occupied all or  
2112 substantially all of the excess school facility or property since December 30, 2008.”.

2113                   **SUBTITLE N. EDUCATION OMBUDSMAN AND OFFICE OF THE STUDENT**  
2114 **ADVOCATE AMENDMENT**

2115                   Sec. 4131. Short title.

2116                   This subtitle may be cited as the “Education Ombudsman and Office of the Student  
2117 Advocate Amendment Act of 2016”.

2118                   Sec. 4132. Section 604(a)(15) of the Public Education Reform Amendment Act of 2007,  
2119 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-353(15)), is amended as  
2120 follows:

2121                   (a) The lead-in language is amended by striking the number “90” and inserting the  
2122 number “120” in its place.

2123                   (b) Subparagraph (D) is repealed.

2124                   (c) Subparagraph (E) is amended by striking the semicolon at the end and inserting the  
2125 phrase “; and” in its place.

2126                   (d) Subparagraph (F) is amended by striking the semicolon at the end and inserting the  
2127 phrase “; and” in its place.

2128                   (e) Subparagraph (G) is repealed.

2129           Sec. 4133. Section 204 of the Parent and Student Empowerment Amendment Act of  
2130 2013, effective February 22, 2014 (D.C. Law 20-76; D.C. Official Code § 38-373), is amended  
2131 as follows:

2132           (a) Paragraph (6) is amended by striking the phrase “s student’s” and inserting the phrase  
2133 “a student’s” in its place.

2134           (b) Paragraph (9) is amended as follows:

2135                 (1) The lead-in language is amended by striking the number “90” and inserting  
2136 the number “120” in its place.

2137                 (2) Subparagraph (C) is amended by striking the word “and” at the end.

2138                 (3) New subparagraphs (E), (F), and (G) are added to read as follows:

2139                         “(E) Students represented through formal or administrative proceedings;

2140                         “(F) Information sessions held and trainings conducted by ward;

2141                         “(G) Complaints, concerns, or other inquiries referred to District agencies,  
2142 including the name of the agency, office, or organization to which the referral was made; and”.

2143           **SUBTITLE O. EDUCATION REPORTING REQUIREMENTS**

2144           Sec. 4141. Short title.

2145           This subtitle may be cited as the “Education Reporting Requirements Act of 2016”.

2146           Sec. 4142. Office of the State Superintendent of Education reporting requirements.

2147           (a) By June 15, 2016, the Office of the State Superintendent of Education (“OSSE”) shall  
2148 submit to the Council a report on the establishment of the Uniform Per Student Funding Formula  
2149 (“UPSFF”) Working Group pursuant to section 112(c) of the Uniform Per Student Funding  
2150 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999

2151 (D.C. Law 12-207; D.C. Official Code § 38-2911(c)), including a list of members and proposed  
2152 meeting dates.

2153 (b) By August 15, 2016, and every 2 months thereafter through December 15, 2016, the  
2154 OSSE shall submit to the Council a report on the status of work conducted by the UPSFF  
2155 Working Group in the preceding 2 months, including meeting minutes.

2156 (c)(1) By October 1, 2016, and quarterly thereafter through September 30, 2017, the  
2157 OSSE shall submit to the Council a report on a comprehensive plan and efforts to implement by  
2158 July 1, 2018, the expansion of the IDEA Part C and the Strong Start: DC Early Intervention  
2159 Program included in section 7h of the State Education Office Establishment Act of 2000,  
2160 effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614).

2161 (2) The reports shall include the following:

2162 (A) A timeline for implementation;

2163 (B) The OSSE's projected capacity needs to accomplish implementation,  
2164 with supporting data;

2165 (C) A description of barriers to implementation;

2166 (D) Benchmark goals; and

2167 (E) Steps OSSE intends to take to:

2168 (i) Accomplish needed program enhancements for implementation,  
2169 including, enhancements to service provider capacity, recruiting and retention strategies, and  
2170 strategies for differentiated models of service for children with 25% to 50% delay in one  
2171 developmental area; and

2172 (ii) Work with the Department of Healthcare Finance to develop a  
2173 Medicaid carve-out whereby a portion of money is set aside for early intervention programs  
2174 through which OSSE can recoup costs.

2175 Sec. 4143. Public Charter School Board reporting requirements.

2176 By October 1, 2016, the Public Charter School Board shall submit to the Council a report  
2177 on the distribution of at-risk funds to each local education agency (“LEA”) it oversees for  
2178 students in pre-k through grade 12 for school year 2016-2017. The report shall include, at a  
2179 minimum, the projected allocation of at-risk funds to each LEA and a breakdown of the intended  
2180 use of the funds, including a description of the programs, initiatives, and the enrichment  
2181 activities it is being used to support.

2182 Sec. 4144. Deputy Mayor for Education reporting requirements.

2183 By October 1, 2016, the Deputy Mayor for Education shall report to the Council on the  
2184 following:

2185 (1) An update on the Deputy Mayor’s convened Cross Sector Collaboration Task  
2186 Force’s work in Fiscal Year 2016, and the most recent list of recommendations for the Mayor  
2187 and the Council;

2188 (2) The need for transportation subsidies and assistance for adult learners who are  
2189 22 years of age and older and enrolled in publicly funded adult education programs or in  
2190 University of the District of Columbia Workforce Development and Lifelong Learning  
2191 programs. This report shall include:

2192 (A) An assessment of what subsidies are currently available to this  
2193 population through government assistance programs, the usage rates of these resources, and  
2194 whether local or federal money is used to pay for them;

2195 (B) An assessment of the unmet need for transportation subsidies among  
2196 adult learners, and the impact of increased transportation costs on attendance and enrollment in  
2197 adult education programs;

2198 (C) Recommendations on:

2199 (i) Ways to better leverage and connect qualifying adult learners  
2200 and transportation providers to existing resources, and the best ways to ensure that federal money  
2201 is utilized wherever possible; and

2202 (ii) Ways that the government, District of Columbia Public  
2203 Schools, public charter schools, and the University of the District of Columbia can provide  
2204 broader access to subsidized transportation opportunities; and

2205 (D) The cost associated with recommendations for delivering  
2206 transportation assistance, and an assessment of new federal and local funding streams that may  
2207 be accessed to provide these services; and

2208 (3) A proposed plan for schools where students are suffering from safe passage  
2209 issues of bullying, violence, or other impediments to getting to and from school and  
2210 recommendations for best practices for improved safe passage policies that schools can adopt.

2211 Sec. 4145. District of Columbia Public Schools reporting requirements.

2212 By October 1, 2016, the District of Columbia Public Schools shall submit to the Council  
2213 a report on Student Activity Funds. The report shall include the following:

2214 (1) Information on each existing Student Activity Fund within the control of the  
2215 District of Columbia Public Schools, including the health of the fund and the date of its last  
2216 audit;

2217 (2) The policies and procedures governing Student Activity Funds, including  
2218 requirements on deposits and any restrictions on items that can be purchased with Student  
2219 Activity Fund monies; and

2220 (3) A description of the training provided to school-based staff on use of Student  
2221 Activity Funds.

2222 **SUBTITLE P. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2223 **FUNDRAISING MATCH**

2224 Sec. 4151. Short title.

2225 This subtitle may be cited as the “University of the District of Columbia Fundraising  
2226 Match Amendment Act of 2016”.

2227 Sec. 4152. (a) In Fiscal Year 2017, of the funds allocated to the Non-Departmental  
2228 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the  
2229 District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by March 1,  
2230 2017.

2231 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, two-  
2232 thirds of the funds shall be deposited into UDC’s endowment fund.

2233 **TITLE V. HEALTH AND HUMAN SERVICES**

2234 **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

2235 **AMENDMENT**

2236 Sec. 5001. Short title.

2237 This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit  
2238 Exemption and POWER Expansion Amendment Act of 2016”.

2239           Sec. 5002. Section 552(c-3) of the District of Columbia Public Assistance Act of 1982,  
2240 effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(c-3)), is amended as  
2241 follows:

2242           (a) A new paragraph (3A) is added to read as follows:

2243                   “(3A) For Fiscal Year 2017, the level of assistance payment shall be equal to the  
2244 Fiscal Year 2016 amount.”.

2245           (b) Paragraph (4) is amended by striking the phrase “Fiscal Year 2017” and inserting the  
2246 phrase “Fiscal Year 2018” in its place.

2247           **SUBTITLE B. DHCF AND DDS MEDICAL ASSISTANCE PROGRAM**  
2248 **AMENDMENTS**

2249           Sec. 5011. Short title.

2250           This subtitle may be cited as the “Department of Healthcare Finance and Department of  
2251 Disability Services Medical Assistance Program Amendment Act of 2016”.

2252           Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal  
2253 financial assistance under title XIX of the Social Security Act for a medical assistance program,  
2254 and for other purposes, approved December 27, 1967 (81 Stat. 744: D.C. Official Code § 1-  
2255 307.02(a)), is amended by adding a new paragraph (10) to read as follows:

2256                   “(10) Review and approval by the Council of the Fiscal Year 2017 Budget and  
2257 Financial Plan shall constitute the Council review and approval required by paragraph (2) of this  
2258 subsection of any amendment, modification, or waiver of the state plan required to:

2259                           “(A) Implement needed amendments to:

2260                                   “(i) The Intermediate Care Facilities for Individuals with  
2261 Developmental Disabilities reimbursement methodology;

- 2262 “(ii) The payment methodology for hospital services;  
2263 “(iii) The payment methodology for nursing homes;  
2264 “(iv) The payment methodology for the Disproportionate Share  
2265 Hospital program;  
2266 “(v) The health homes program;  
2267 “(vi) Renew and update the Elderly and Individuals with Physical  
2268 Disabilities waiver program and make conforming changes to the state plan; and  
2269 “(vii) The payment methodology for prescription drugs; and  
2270 “(B) Increase the number of participants in the Home and Community-  
2271 Based Services Waiver for Persons with Intellectual and Developmental Disabilities program.”.

2272 **SUBTITLE C. CONTRIBUTION TO COST OF SUPPORTS FUND**

2273 Sec. 5021. Short title.

2274 This subtitle may be cited as the “Contribution to Cost of Supports Fund Amendment Act  
2275 of 2016”.

2276 Sec. 5022. The Developmental Disabilities Service Management Reform Amendment  
2277 Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et*  
2278 *seq.*), is amended as follows:

2279 (a) Section 102 (D.C. Official Code § 7-761.02) is amended by adding a new paragraph  
2280 (2A) to read as follows:

2281 “(2A) “Contribution to costs of supports” means full or partial payment by  
2282 persons with intellectual disabilities or their estate for the locally funded supports and services  
2283 provided by the Developmental Disabilities Administration.”.

2284 (b) New sections 105b and 105c are added to read as follows:

2285 “Sec. 105b. Contribution to cost of supports.

2286 “(a) DDS shall collect the contribution to cost of supports from persons with intellectual  
2287 disabilities who are:

2288 “(1) Medicaid Program-eligible but not eligible for the maximum Supplement  
2289 Security Income or Social Security Disability Insurance payments; or

2290 “(2) Not Medicaid Program-eligible but otherwise have been found  
2291 eligible to receive services from the Developmental Disabilities Administration.

2292 “(b) DDS shall collect the contribution to costs of supports under subsection (a) of this  
2293 section only to the extent that DDS uses local dollars to fund the costs of occupancy, including  
2294 rent, other personal expenses, including food, clothing, and medical costs, supplies, furnishings  
2295 and equipment, and support services.

2296 “Sec. 105c. Contribution to Costs of Support Fund.

2297 “(a) There is established as a special fund the Contribution to Cost of Supports Fund  
2298 (‘Fund’), which shall be administered by DDS in accordance with subsection (c) of this section.

2299 “(b) The Fund shall consist of contributions to costs of support collected by DDS from  
2300 persons with intellectual disabilities pursuant to section 105b.

2301 “(c) The Fund shall be used by DDS to pay the cost of residential and other supports to  
2302 persons with intellectual disabilities consistent with federal and local law and regulations.

2303 “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2304 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2305 year, or at any other time.

2306 “(2) Subject to authorization in an approved budget and financial plan, any funds  
2307 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

2308 (c) Section 109 (D.C. Official Code § 7-761.09) is amended by adding a new subsection

2309 (c) to read as follows:

2310 “(c) Within 45 days after the effective date of the Contribution to Costs of Supports Fund  
2311 Amendment Act of 2016 (“Act”), as approved by the Committee of the Whole on May 17, 2016  
2312 (Committee print of Bill 21-669), the Mayor, pursuant to Title I of the District of Columbia  
2313 Administrative Procedure Act, approved October 21, 1968 (82 Stat.1204; D.C. Official Code §2-  
2314 501 *et seq.*), shall issue rules to implement the provisions of the Act, including rules establishing  
2315 who has the ability to pay the contribution to costs of supports, the amount to be collected, the  
2316 method and timing of payments to DDS for such purposes, and due process protections. The  
2317 proposed rules shall be submitted to the Council for a 45-day period of review, excluding  
2318 Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve  
2319 or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day period of  
2320 review, the proposed rules shall be deemed approved.”.

2321 **SUBTITLE D. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL**  
2322 **DISABILITIES RENT INCREASE RELIEF**

2323 Sec. 5031. Short title.

2324 This subtitle may be cited as the “Persons with Intellectual and Developmental  
2325 Disabilities Rent Increase Relief Amendment Act of 2016”.

2326 Sec. 5032. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10;  
2327 D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

2328 (a) Section 103 (D.C. Official Code § 42-3501.03) is amended by adding a new  
2329 paragraph (13A) to read as follows:

2330                   “(13A) “Home and community-based services waiver provider” means an entity  
2331 that provides residential habilitation or supported living services under the Medicaid Home and  
2332 Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities  
2333 program authorized by section 1915(c) of the Social Security Act, approved August 13, 1981 (95  
2334 Stat. 809; 42 U.S.C. § 1396n).”.

2335                   (b) Section 205(a)(1) (D.C. Official Code § 42-3502.05(a)(1)) is amended by striking the  
2336 phrase “subchapter III;” and inserting the phrase “Subchapter III, or any unit rented by a home  
2337 and community-based services waiver provider and occupied by a tenant with a disability  
2338 without regard to income but otherwise as defined in section 206(f), or co-leased by a home and  
2339 community-based services waiver provider and occupied by a tenant with a disability without  
2340 regard to income but otherwise as defined in section 206(f);” in its place.

2341                   (c) Section 208(h)(2) (D.C. Official Code § 42-3502.08(h)(2)) is amended by striking the  
2342 phrase “elderly or disabled tenant” and inserting the phrase “elderly or disabled tenant, including  
2343 a unit leased or co-leased by a home and community-based services waiver provider,” in its  
2344 place.

2345                   **SUBTITLE E. COMMISSION ON HEALTH EQUITY**

2346                   Sec. 5041. Short title.

2347                   This subtitle may be cited as the “Commission on Health Equity Amendment Act of  
2348 2016”.

2349                   Sec. 5042. The Commission on Health Disparities Establishment Act of 2014, effective  
2350 March 10, 2015 (D.C. Law 20-192; D.C. Official Code § 7-755.01 *et seq.*), is repealed.

2351                   Sec. 5043. Establishment of the Commission on Health Equity.

2352 (a) There is established a Commission on Health Equity ("Commission") to prepare,  
2353 through the Department of Health's Office on Violence Prevention and Health Equity,  
2354 comprehensive recommendations to the Department of Health, the Council, and the Mayor that  
2355 examine and address health inequities across the District and differing opportunities for  
2356 healthcare by demographic subpopulations and geographic areas, including in each election ward  
2357 of the District.

2358 (b) The Commission shall have 9 voting members, who shall be appointed as follows:

2359 (1)(A) Six voting members shall be appointed by the Mayor with the advice and  
2360 consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978,  
2361 effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

2362 (B) The Mayor's initial 6 appointments shall include 3 members appointed  
2363 to 3-year terms and 3 members appointed to 2-year terms. All subsequent appointments by the  
2364 Mayor shall be for 3-year terms.

2365 (2)(A) Three voting members shall be appointed by the Council.

2366 (B) The Council's initial 3 appointments shall be for 1-year terms. All  
2367 subsequent appointments by the Council shall be for 3-year terms.

2368 (3) Each voting member shall have expertise in at least one of the following areas:

2369 (A) Health equity, social determinants, and health disparities;

2370 (B) Social and human services and vulnerable populations;

2371 (C) Early learning and education;

2372 (D) Minority communities and population health outcomes and  
2373 improvement;

2374 (E) Economic and community development; and

2375 (F) Ecology and the natural and built environment.

2376 (4) The Mayor shall appoint the Chairperson of the Commission from among its  
2377 voting members.

2378 (c)(l) The Commission shall include the following nonvoting advisory members:

2379 (A) The Chairperson of the Committee on Health and Human Services,  
2380 who shall serve as an ex-officio member;

2381 (B) Three community advisory members, one each from Wards 5, 7, and  
2382 8, appointed by the Council;

2383 (C) One patient organization representative, appointed by the voting  
2384 members of the Commission; and

2385 (D) The presidents or chief executive officers of 2 District hospitals and a  
2386 representative from an insurance company who have access to health outcomes databases, or  
2387 their designees.

2388 (2) For the purposes of this subsection, the term "patient organization  
2389 representative" means an individual who works for a national or local healthcare or health  
2390 promotion organization.

2391 (d) All vacancies on the Commission shall be filled in the same manner in which the  
2392 initial appointment is made.

2393 (e) All members of the Commission shall be appointed within one year after the effective  
2394 date of this subtitle.

2395 Sec. 5044. Commission duties and functions.

2396 (a) The Commission shall advise the Department of Health's Office of Violence  
2397 Prevention and Health Equity on:

2398 (1) The development of a baseline assessment of health equity across the District,  
2399 and differing opportunities for health by demographic subpopulations and geographic areas,  
2400 including in each election ward of the District;

2401 (2) The application of innovative data collection and dissemination strategies to  
2402 augment the use of evidence-based methods and tools and practices within a community-based  
2403 participatory research framework; and

2404 (3) Strengthening collaborative partnerships with communities impacted by health  
2405 inequities to identify and promote health equity strategies.

2406 (b) The Commission shall:

2407 (1) Gather information from public hearings, inquires, and studies to understand  
2408 how the District government may work to eliminate health disparities;

2409 (2) Seek federal grants, if available; and

2410 (3) Submit a formal city action plan by March 1st of each year to the Department  
2411 of Health, the Mayor, and the Council.

2412 (c) The formal city action plan required by subsection (b)(3) of this section shall be a  
2413 public document and shall include, at a minimum:

2414 (1) A report of the Commission's findings regarding:

2415 (A) Health equity across the District and differing opportunities for  
2416 healthcare by demographic subpopulations and geographic areas, including in each election ward  
2417 of the District;

2418 (B) The identification of health indicators studied that highlight the

2419 election ward and populations or neighborhoods most affected, and possible steps that can be  
2420 taken by the District government to remedy these issues, and expected outcomes that will result  
2421 from taking the recommended steps; and

2422 (2) Draft legislation, regulations, amendments to statutes or regulations, or any  
2423 other specific steps for implementing the recommendations described in paragraph (1) of this  
2424 subsection.

2425 Sec. 5045. Commission procedure and powers.

2426 (a) The Commission shall meet at least once a quarter to share findings regarding the  
2427 prevalence and severity of health disparities that exist in each election ward.

2428 (b) The Chairperson of the Commission, or his or her designee, who must be a member of  
2429 the Commission, shall convene all Commission meetings.

2430 (c) A majority of the voting members appointed to the Commission at any given time  
2431 shall constitute a quorum for the transaction of official business. Official actions of the  
2432 Commission shall be taken by a majority vote of the voting members present at the meeting.

2433 (d) The Commission may use space and supplies owned or rented by the District  
2434 government and use staff loaned from the Council or detailed by the Mayor for purposes  
2435 consistent with this act as the Commission may determine.

2436 Sec. 5046. Section 2(f)(53) of the of the Confirmation Act of 1978, effective March 3,  
2437 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(53)), is amended to read as follows:

2438 “(53) The Commission on Health Equity.”.

2439 **SUBTITLE F. TEEN PREGNANCY PREVENTION FUND AMENDMENT**

2440 Sec. 5051. Short title.

2441 This subtitle may be cited as the “Teen Pregnancy Prevention Fund Amendment Act of  
2442 2016”.

2443 Sec. 5052. The Teen Pregnancy Prevention Fund Establishment Act of 2014, effective  
2444 February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.321 et seq.), is amended as  
2445 follows:

2446 (a) Section 5142(2) (D.C. Official Code § 1-325.321(2)) is amended by striking the  
2447 phrase “the DC Campaign for Teen Pregnancy, as authorized by section 5146” and inserting the  
2448 phrase “, for Fiscal Year 2017, the Department of Health, as authorized by section 5146” in its  
2449 place.

2450 (b) Section 5143 (D.C. Official Code § 1-325.322) is amended as follows:

2451 (1) Subsections (b), (c), and (d) are amended to read as follows:

2452 “(b) Grants from the Fund shall be awarded by the Department of Health to nonprofit  
2453 organizations for the purpose of implementing the following types of programs consistent with  
2454 an evidence-based, community-wide teen pregnancy prevention model:

2455 “(1) Health services for teens;

2456 “(2) Reproductive health education;

2457 “(3) Professional development and training;

2458 “(4) Research and policy development related to teen pregnancy; and

2459 “(5) Public education and awareness on teen pregnancy.

2460 “(c) Grants from the Fund shall be awarded, subject to the availability of funding, as  
2461 follows:

2462 “(1) All grants shall be awarded on a competitive basis;

2463 “(2) The grant funds shall be used exclusively to serve District of Columbia

2464 residents; and

2465 “(3) All grants shall be subject to District transparency requirements, such as

2466 Freedom of Information Act requests.

2467 “(d) The Fund shall be administered pursuant to the requirements set forth in the Grant

2468 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code

2469 § 1-328.11 et seq.).”.

2470 (2) Subsection (e) is repealed.

2471 (c) Section 5144 (D.C. Official Code § 1-325.323) is amended as follows:

2472 (1) Strike the word “subgrant” wherever it appears and insert the word “grant” in  
2473 its place.

2474 (2) Strike the word “subgrantee” wherever it appears and insert the word  
2475 “grantee” in its place.

2476 (d) Section 5145 (D.C. Official Code § 1-325.324) is amended as follows:

2477 (1) Strike the phrase “December 1, 2014” and insert the phrase “December 1,  
2478 2017” in its place.

2479 (2) Strike the word “bimonthly” and insert the word “semiannual” in its place.

2480 (3) Strike the word “subgrantee” wherever it appears and insert the word  
2481 “grantee” in its place.

2482 (4) Strike the word “subgrant” wherever it appears and insert the word “grant” in  
2483 its place.

2484 (e) Section 5146 (D.C. Official Code § 1-325.325) is amended to read as follows:

2485 “Sec. 5146. Authorization for grant-managing entity.

2486 “For Fiscal Year 2017, the Department of Health is designated as the grant-managing  
2487 entity.”.

2488 Section 5147 (D.C. Official Code § 1-325.326) is amended to read as follows:

2489 “Sec. 5147. Limitation on duplicative projects.

2490 “The grant-managing entity shall take steps to avoid awarding grants to a nonprofit that  
2491 has been awarded or is being awarded funds from another District agency for the same or similar  
2492 program purposes for which it is applying for funding from the Fund.”.

2493 **SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**  
2494 **PAYMENT**

2495 Sec. 5061. Short title.

2496 This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment  
2497 Act of 2016".

2498 Sec. 5062. Definitions.

2499 For the purposes of this subtitle, the term:

2500 (1) “Department” means the Department of Health Care Finance.

2501 (2) “Hospital” shall have the same meaning as provided in section 2(a)(1) of the  
2502 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
2503 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but  
2504 excludes any hospital operated by the federal government.

2505 (3) “Hospital system” means any group of hospitals licensed separately, but  
2506 operated, owned, or maintained by a common entity.

2507 (4) “Medicaid” means the medical assistance programs authorized by Title XIX  
2508 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.), and

2509 by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance  
2510 under title XIX of the Social Security Act for a medical assistance program, and for other  
2511 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and  
2512 administered by the Department.

2513 (5) “Outpatient gross patient revenue” means the amount calculated in accordance  
2514 with generally accepted accounting principles for hospitals that is reported as the sum of Lines  
2515 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost  
2516 Report (Form CMS 2552-10), filed for the period ending between October 1, 2013, and  
2517 September 30, 2014.

2518 Sec. 5063. Hospital Provider Fee Fund.

2519 (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which  
2520 shall be administered by the Department in accordance with subsections (c) and (d) of this  
2521 section.

2522 (b) Revenue from the following sources shall be deposited in the Fund:

2523 (1) Fees collected under this subtitle; and

2524 (2) Interest and penalties collected under this subtitle.

2525 (c) Money in the Fund may only be used for the following purposes:

2526 (1) Making Medicaid outpatient hospital access payments to hospitals as required  
2527 under section 5076;

2528 (2) Payment of administrative expenses incurred by the Department or its agent in  
2529 performing the activities authorized by this subtitle in an amount not to exceed \$150,000  
2530 annually; and

2531 (3) Providing refunds to hospitals pursuant to section 5065.

2532 (d) Money in the Fund may not be used to replace money appropriated to the Medicaid  
2533 program.

2534 (e)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
2535 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2536 year, or at any other time.

2537 (2) Subject to authorization in an approved budget and financial plan, any funds  
2538 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2539 Sec. 5064. Hospital provider fee.

2540 (a) Beginning October 1, 2016, and subject to section 5065, the District may  
2541 charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged  
2542 at a uniform rate necessary to generate the following:

2543 (1) An amount equal to the non-federal share of the total available  
2544 spending room under the Medicaid upper payment limit for private hospitals applicable to  
2545 District Fiscal Year (“DFY”) 2017 consistent with the federal approval of the authorizing  
2546 Medicaid State Plan amendment; plus

2547 (2) An amount equal to the non-federal share of the total available  
2548 spending room under the Medicaid upper payment limit for District operated hospitals applicable  
2549 to DFY 2017 consistent with the federal approval of the authorizing Medicaid State Plan  
2550 amendment; plus

2551 (3) An amount equal to the Department's administrative expenses as  
2552 described in section 5063(c)(2).

2553 (b) A psychiatric hospital that is an agency or a unit of the District government is  
2554 exempt from the fee imposed under subsection (a) of this section, unless the exemption is

2555 adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is  
2556 an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this  
2557 section.

2558           Sec. 5065. Applicability of fees.

2559           (a) The fee imposed by section 5064 shall not be due and payable until such time that the  
2560 federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
2561 amendment authorizing the Medicaid payments described in section 5066.

2562           (b) The fee imposed by section 5064 shall cease to be imposed, and any moneys  
2563 remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them,  
2564 if:

2565                   (1) The Department makes changes in its rules that reduce the hospital inpatient  
2566 or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on  
2567 October 1, 2015; or

2568                   (2) The payments to hospitals required under section 5066 are modified in any  
2569 way other than to secure federal approval of such payments as described in section 5066 or are  
2570 not eligible for federal matching funds under section 1903(w) of the Social Security Act,  
2571 approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

2572           (c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if  
2573 the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social  
2574 Security Act by the Centers for Medicare and Medicaid Services.

2575           (d) Should the fee imposed by section 5064 not take effect or cease to be imposed,  
2576 moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section  
2577 5076 to the extent federal matching is available. If federal matching is not available due to a

2578 determination by the Centers for Medicare and Medicaid Services that the fee is impermissible,  
2579 any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

2580           Sec. 5066. Medicaid outpatient hospital access payments.

2581           (a)(1) For visits and services beginning October 1, 2016, quarterly Medicaid outpatient  
2582 hospital access payments shall be made to each private hospital.

2583                   (2) Each payment will be equal to the hospital's DFY 2014 outpatient Medicaid  
2584 payments divided by the total in District private hospital DFY 2014 outpatient Medicaid  
2585 payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

2586                   (3) The total outpatient private hospital access payment pool is equal to the total  
2587 available spending room under the private hospital outpatient Medicaid upper payment limit for  
2588 DFY 2017.

2589           (c)(1) For visits and services beginning October 1, 2016, outpatient hospital access  
2590 payments shall be made to the United Medical Center.

2591                   (2) Each payment will be equal to one quarter of the total outpatient public  
2592 hospital access payment pool.

2593                   (3) The total outpatient public hospital access payment pool is equal to the total  
2594 available spending room under the District-operated hospital outpatient Medicaid upper payment  
2595 limit for DFY 2017.

2596           (d) The quarterly Medicaid outpatient hospital access payments shall be made within 15  
2597 business days after the end of each DFY quarter for the Medicaid visits and services rendered  
2598 during that quarter.

2599 (e) No payments shall be made under this section until such time that the federal Centers  
2600 for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing  
2601 the Medicaid payments described in this subtitle.

2602 (f) The Medicaid payment methodologies authorized under this subtitle shall not be  
2603 altered in any way unless such alteration is necessary to gain federal approval from the Centers  
2604 for Medicare and Medicaid Services.

2605 Sec. 5067. Quarterly notice and collection.

2606 (a) The fee imposed under section 5064, which shall be calculated, due, and payable on a  
2607 quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter;  
2608 provided, that the fee shall not be due and payable until:

2609 (1) The District issues written notice that the payment methodologies for  
2610 payments to hospitals required under section 5066 have been approved by the federal Centers for  
2611 Medicare and Medicaid Services; and

2612 (2) The District issues written notice to the hospital informing the hospital of its  
2613 fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a  
2614 quarterly basis, including, in the initial written notice from the District to the hospital, all fee  
2615 amounts owed beginning with the period commencing on October 1, 2016, to ensure all  
2616 applicable fee obligations have been identified.

2617 (b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle,  
2618 the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof,  
2619 which shall be added to the unpaid balance.

2620 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
2621 fee and interest in arrears.

2622 (c) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2623 allowable cost for purposes of Medicaid hospital reimbursement.

2624 Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

2625 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2626 by the Department of Health, the hospital system shall pay the fee for each hospital separately.

2627 (b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person  
2628 ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as  
2629 evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the  
2630 cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a  
2631 fraction, the numerator of which is the number of days in the year during which the hospital  
2632 system or person conducted, operated, or maintained the hospital, and the denominator of which  
2633 is 365.

2634 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the  
2635 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
2636 previously paid.

2637 (c) Notwithstanding any other provision in this subtitle, a hospital system or person who  
2638 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee  
2639 computed under section 5064 and subsection (a) of this section in installments on the due date  
2640 stated in the notice and on the regular installment due dates for the DFY occurring after the due  
2641 dates of the initial notice.

2642 Sec. 5069. Rules.

2643 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
2644 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules  
2645 to implement the provisions of this subtitle.

2646 Sec. 5070. Sunset.

2647 This subtitle shall expire on September 30, 2017.

2648 **SUBTITLE H. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL**

2649 **PAYMENT**

2650 Sec. 5071. Short title.

2651 This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Act of  
2652 2016".

2653 Sec. 5072. Definitions.

2654 For the purposes of this subtitle, the term:

2655 (1) "Department" means the Department of Health Care Finance.

2656 (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the  
2657 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of  
2658 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but  
2659 excludes any hospital operated by the federal government and any specialty hospital, as defined  
2660 by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed  
2661 under a specialty hospital reimbursement methodology under the State Plan.

2662 (3) "Hospital system" means any group of hospitals licensed separately but  
2663 operated, owned, or maintained by a common entity.

2664 (4) "Inpatient net patient revenue" means the amount calculated in accordance  
2665 with generally accepted accounting principles for hospitals as derived from each hospital's filed

2666 Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the  
2667 period ending between October 1, 2013, and September 30, 2014, using the references below:

2668 (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18

2669 (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6,  
2670 and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1;  
2671 Line 18

2672 (C) Divided by: Worksheet G-2; Column 3; Line 28

2673 (D) Multiplied by: Worksheet G-3; Column 1; Line 3

2674 (5) “Medicaid” means the medical assistance programs authorized by Title XIX

2675 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 et seq.)

2676 (“Social Security Act”), and by section 1 of An Act To enable the District of Columbia to receive

2677 Federal financial assistance under title XIX of the Social Security Act for a medical assistance

2678 program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code

2679 § 1-307.02), and administered by the Department.

2680 Sec. 5073. Hospital Fund.

2681 (a) There is established as a special fund the Hospital Fund (“Fund”), which shall be

2682 administered by the Department in accordance with subsection (c) of this section.

2683 (b) Revenue from the following sources shall be deposited in the Fund:

2684 (1) Fees collected under this subtitle;

2685 (2) Interest and penalties collected under this subtitle; and

2686 (3) Other amounts collected under this subtitle.

2687 (c) Money in the Fund shall be used solely as set forth in section 5074 (a)(2) of this

2688 subtitle.

2689 (d)(1) The money deposited in the Fund, and interest earned, shall not revert to the  
2690 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
2691 year, or at any other time.

2692 (2) Subject to authorization in an approved budget and financial plan, any funds  
2693 appropriated in the Fund shall be continually available without regard to fiscal year limitation;  
2694 provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded  
2695 to hospitals in proportion to the amounts paid by them.

2696 Sec. 5074. Hospital provider fee.

2697 (a)(1) Beginning October 1, 2016, and except as provided in subsection (b) of this section  
2698 and section 5087, the District, through the Office of Tax and Revenue, may charge each hospital  
2699 a fee based on its inpatient net patient revenue.

2700 (2) The fee shall be charged at a uniform rate necessary to generate no more than  
2701 \$10.4 million. Of this amount, \$1.4 million may be used to support the Medicaid Managed Care  
2702 Organization rates for inpatient hospitalization. The remaining amount shall be used to support  
2703 the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year (“DFY”)  
2704 2015 level of 98% of cost to non-specialty hospitals.

2705 (3) The fee collected pursuant to this section shall be deposited in the Hospital  
2706 Fund, established by section 5073.

2707 (b) A psychiatric hospital that is an agency or a unit of the District government is exempt  
2708 from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be  
2709 unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a  
2710 unit of the District government shall pay the fee imposed by subsection (a) of this section.

2711 (c) If necessary, by August 1, 2016, the Department shall submit a provider tax waiver  
2712 application to the Center for Medicare and Medicaid Services to ensure the provisions of this  
2713 subtitle qualify as a broad-based health care related tax, as that term is defined in section  
2714 1903(w)(3)(B) of the Social Security Act.

2715 Sec. 5075. Quarterly notice and collection.

2716 (a) The fee imposed under section 5074 shall be due and payable by the 15th of the last  
2717 month of each DFY quarter.

2718 (b) The fee imposed under section 5074 shall be calculated, due, and payable on a  
2719 quarterly basis, but shall not be due and payable until the District issues written notice to each  
2720 hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and  
2721 the fee amount owed on a quarterly basis, including, in the initial written notice from the District  
2722 to the hospital, all fee amounts owed beginning with the period October 1, 2016, to ensure all  
2723 applicable fee obligations have been identified.

2724 (c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid  
2725 balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be  
2726 added to the unpaid balance.

2727 (2) The Chief Financial Officer may arrange a payment plan for the amount of the  
2728 fee and interest in arrears.

2729 (d) The payment by the hospital of the fee created in this subtitle shall be reported as an  
2730 allowable cost for purposes of Medicaid hospital reimbursement.

2731 Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals.

2732 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed  
2733 by the Department of Health, the hospital system shall pay the fee for each hospital separately.

2734 (b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee  
2735 under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the  
2736 transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall  
2737 be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of  
2738 which is the number of days in the year during which the hospital system or person conducts,  
2739 operates, or maintains the hospital and the denominator of which is 365.

2740 (2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the  
2741 hospital system or person shall pay the fee for the year as so adjusted, to the extent not  
2742 previously paid.

2743 (c) Notwithstanding any other provision of this subtitle, a hospital system or person who  
2744 conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee  
2745 required under 5074 in accordance with subsection (a) of this section on the due date stated in  
2746 the notice and on the regular installment due dates for the DFY occurring after the due date of  
2747 the initial notice.

2748 Sec. 5077. Federal determinations; suspension and termination of assessment.

2749 (a) If the Centers for Medicare and Medicaid Services determines that an assessment  
2750 imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal  
2751 financial participation set forth in section 1903(w) of the Social Security Act that determination  
2752 shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other  
2753 hospitals imposed by this subtitle.

2754 (b) If the Centers for Medicare and Medicaid Services determines that an exclusion for  
2755 specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from

2756 qualifying as a broad-based health care related tax, as that term is defined in section  
2757 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

2758 Sec. 5078. Rules.

2759 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
2760 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), may issue rules  
2761 to implement the provisions of this subtitle.

2762 Sec. 5079. Sunset.

2763 This subtitle shall expire on September 30, 2017.

2764 **SUBTITLE I. PROGRAM ON WORK, EMPLOYMENT, AND**  
2765 **RESPONSIBILITY (POWER) AMENDMENT**

2766 Sec. 5081. Short title.

2767 This subtitle may be cited as the “Program on Work, Employment, and Responsibility  
2768 Amendment Act of 2016”.

2769 Sec. 5082. The District of Columbia Public Assistance Act of 1982, effective April 6,  
2770 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 et seq.), is amended as follows:

2771 (a) Section 572(a) (D.C. Official Code § 4-205.72(a)) is amended by striking the phrase  
2772 “and sections 573” and inserting the phrase “and sections 572a” in its place.

2773 (b) Section 572a(a)(1A) (D.C. Official Code § 4-205.72a(a)(1A)) is repealed.

2774 **SUBTITLE J. YOUTH SERVICES COORDINATION TASK FORCE**

2775 Sec. 5091. Short title.

2776 This subtitle may be cited as the “Expansion and Coordination of Youth Services Act of  
2777 2016”.

2778 Sec. 5092. Youth Services Coordination Task Force.

2779 (a) There is established a Youth Services Coordination Task Force (“Task Force”) within  
2780 the Office of the Deputy Mayor for Health and Human Services, for the purpose of studying the  
2781 establishment of a single network of service providers for District youth that can provide family  
2782 counseling, family support services, vocational training, subsidized work experiences, substance  
2783 abuse counseling and recovery assistance, mentoring, tutoring, GED preparation, community  
2784 service opportunities, and recreational activities to youth pursuant to Individualized Success  
2785 Plans developed by each agency.

2786 (b) The Task Force shall consist of the following persons or their designees:

2787 (1) The Deputy Mayor for Health and Human Services;

2788 (2) The Director of the Child and Family Service Agency;

2789 (3) The Director of the Department of Behavioral Health;

2790 (4) The Director of the Department of Disability Services;

2791 (5) The Director of the Department of Health;

2792 (6) The Director of the Department of Human Services;

2793 (7) The Director of the Department of Youth Rehabilitation Services;

2794 (8) The Chairperson of the Council Committee with jurisdiction over the

2795 Department of Youth Rehabilitation Services;

2796 (9) The Chairperson of the Council Committee with jurisdiction over the

2797 Department of Health; and

2798 (10) Two representatives from District youth-serving nonprofits, as chosen by the

2799 Mayor.

2800 (c) The Task Force may, at the discretion of the Mayor, include the Directors of other

2801 youth-serving District agencies, or their designees.

2802 (d) The Task Force shall elect a chairperson by a majority vote of the members.

2803 (e) No later than March 17, 2017, the Task Force shall provide a report to the Mayor, the  
2804 Council, and the public that includes:

2805 (1) Findings and recommendations on how best to establish a single network of  
2806 service providers, with unified grant-making procedures and reporting requirements, for youth  
2807 currently served by the Child and Family Services Agency, the Department of Behavioral  
2808 Health, the Department of Health, the Department of Human Services, the Department of Youth  
2809 Rehabilitation Services, and other District youth-serving agencies, as deemed appropriate by the  
2810 Task Force; and

2811 (2) Findings and recommendations on the feasibility of providing the services  
2812 described in subsection (a) of this section in centralized District-owned facilities in each Ward.

2813 Sec. 5093. Administration and appropriations.

2814 (a) The Office of the Deputy Mayor for Health and Human Services shall provide  
2815 facilities and other administrative support for the Task Force.

2816 (b) There are authorized to be appropriated from the general revenues of the District  
2817 funds necessary to carry out the purposes of this subtitle.

2818 Sec. 5094. Sunset.

2819 This subtitle shall expire on March 17, 2017.

2820 **SUBTITLE K. SUPPORTING NORMALCY, EMPOWERING FOSTER**  
2821 **CHILDREN, AND ENCOURAGING PLACEMENT WITH SIBLINGS**

2822 Sec. 5101. Short title

2823 This subtitle may be cited as the “Supporting Normalcy, Empowering Foster Children,  
2824 and Encouraging Placement with Siblings Amendment Act of 2016”.

2825           Sec. 5102. The Prevention of Child Abuse and Neglect Act of 1977, effective September  
2826 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

2827           (a) Section 102 (D.C. Official Code § 4-1301.02) is amended as follows:

2828                   (1) Paragraph (3) is amended as follows:

2829                           (A) Subparagraph (B) is amended by striking the phrase “under the plan;”  
2830 and inserting the phrase “under the plan. With respect to a child who has attained 14 years of  
2831 age, the plan, and any revision or addition to the plan, shall be developed in consultation with the  
2832 child and, at the option of the child, with up to 2 members of the case planning team who are  
2833 chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency  
2834 may reject an individual selected by a child to be a member of the case planning team at any time  
2835 if the agency has good cause to believe that the individual would not act in the best interests of  
2836 the child. One individual selected by a child to be a member of the child's case planning team  
2837 may be designated to be the child's advisor and, as necessary, advocate, with respect to the  
2838 application of the reasonable and prudent parent standard to the child.” in its place.

2839                           (B) Subparagraph (D) is amended by striking the phrase “16 years of age”  
2840 and inserting the phrase “14 years of age” in its place.

2841                           (C) Subparagraph (F)(ii) is amended by striking the phrase "separation of  
2842 siblings" and inserting the phrase "separation of siblings, including individuals who would have  
2843 been considered siblings of the child but for the termination of parental rights or death of a  
2844 parent," in its place.

2845                   (2) A new paragraph (16A) is added to read as follows:

2846                           “(16A) “Reasonable and prudent parent standard” means the standard  
2847 characterized by careful and sensible parental decisions that maintain the health, safety, and best

2848 interests of a child while at the same time encouraging the emotional and developmental growth  
2849 of the child, that should be used when determining whether to allow a child to participate in  
2850 extracurricular, enrichment, cultural, and social activities.”.

2851 (b) Section 303 (D.C. Official Code § 4-1303.03) is amended as follows:

2852 (1) Subsection (a)(16)(A) is amended as follows:

2853 (A) Sub-subparagraph (ii) is amended by striking the phrase “District of  
2854 Columbia; or” and inserting the phrase “District of Columbia;” in its place.

2855 (B) Sub-subparagraph (iii) is amended by striking the phrase “terminated.”  
2856 and inserting the phrase “terminated; or” in its place.

2857 (C) A new sub-subparagraph (iv) is added to read as follows:

2858 “(iv) The ward reaches 14 years of age and on an annual basis  
2859 thereafter.”.

2860 (2) Subsection (a-1)(5) is amended by striking the phrase "siblings," and inserting  
2861 the phrase "siblings, including individuals who would have been considered siblings of the child  
2862 but for the termination of parental rights or death of a parent," in its place.

2863 (c) A new section 303f is added to read as follows:

2864 “Sec. 303f. Reasonable and prudent parent standard.

2865 “(a) Foster parents and group homes for children who have been abused or neglected  
2866 shall use the reasonable and prudent parent standard when determining whether to allow a ward  
2867 to participate in extracurricular, enrichment, cultural, and social activities.

2868 “(b) The Agency, foster parents, and group homes shall not be held liable for any civil  
2869 damages resulting from the application of, or the failure to apply, the reasonable and prudent  
2870 parent standard, except in cases constituting gross negligence.”.

2871           Sec. 5103. Section 16-2323(d)(4) of the District of Columbia Official Code is amended

2872 as follows:

2873           (a) Subparagraph (B) is amended by striking the word “and”.

2874           (b) A new subparagraph (D) is added to read as follows:

2875                   “(D) For a child placed in another planned permanent living arrangement, the  
2876 steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in  
2877 section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective  
2878 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed  
2879 and that the child has opportunities to engage in age-appropriate or developmentally appropriate  
2880 activities; and”.

2881           **SUBTITLE L. NOT-FOR-PROFIT HOSPITAL CORPORATION CERTIFICATE**  
2882 **OF NEED EXEMPTION AMENDMENT ACT OF 2016**

2883           Sec. 5111. Short title.

2884           This subtitle may be cited as the “Not-For-Profit Hospital Corporation Certificate of  
2885 Need Exemption Amendment Act of 2016”.

2886           Sec. 5112. Section 8(b) of the Health Services Planning Program Re-establishment Act of  
2887 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended by  
2888 adding a new paragraph (14) to read as follows:

2889                   “(14) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care  
2890 clinic in the Bellevue neighborhood of Ward 8. The exemption provided in this paragraph shall  
2891 expire on September 30, 2017.”.

2892           **SUBTITLE M. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION**

2893           Sec. 5121. Short title.

2894 This subtitle may be cited as the “Department of Health Functions Clarification Act of  
2895 2016”.

2896 Sec. 5122. Section 4907a of the Department of Health Functions Clarification Act of  
2897 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended  
2898 by adding new subsections (i) and (j) to read as follows:

2899 “(i)(1) For Fiscal Year 2017, the Director of the Department of Health shall have the  
2900 authority to issue grants to qualified community organizations for the purpose of providing the  
2901 following services:

2902 “(A) Programs designed to improve food access:

2903 “(i) Through mobile, vehicle based farm stands that operate  
2904 at regularly scheduled stops, provide recipes and cooking demonstrations, and distribute locally  
2905 produced food to communities in underserved communities, not to exceed \$50,000; and

2906 “(ii) By delivering fresh produce to small retailers and  
2907 corner store owners that operate in underserved communities, not to exceed \$250,000; and

2908 “(B) A Farmers Market Subsidy program aimed at establishing healthy  
2909 dietary habits, providing incentives for farmers to locate in low-income communities, and  
2910 reducing chronic illness in District residents by providing monetary assistance for the purchase  
2911 of fresh fruits and vegetables to those receiving federal assistance not to exceed \$1,200,000; and

2912 “(C) Programs designed to support teen peer educators who work  
2913 to provide sexual health information and condoms to youth, not to exceed \$150,000.

2914 “(D) Programs designed to promote healthy development in girls

2915 attending public and chartered schools in grades 8-12 located in areas of the city possessing the  
2916 highest rates of teen pregnancy and highest enrollment in state-funded health programs in the  
2917 District, not to exceed \$500,000.

2918           “(2) All grants issued pursuant to paragraph (1) of this subsection shall be  
2919 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
2920 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

2921           “(3) The Department of Health shall submit a quarterly report to the Secretary to  
2922 the Council on all grants issued pursuant to the authority granted in paragraph (1) of this  
2923 subsection.

2924           “(j)(1) For Fiscal Year 2017, the Director of the Department of Health shall issue grants  
2925 totaling \$100,000 to nonprofit pediatric dental clinics to provide oral health literacy and  
2926 awareness programming.

2927           “(2) All grants issued pursuant to paragraph (1) of this subsection shall be  
2928 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,  
2929 effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

2930           “(3) The Department of Health shall submit a quarterly report to the  
2931 Secretary Council on all grants issued pursuant to the authority granted in paragraph (1) of this  
2932 subsection.”.

2933           **SUBTITLE N. DCHA REHABILITATION AND MAINTENANCE FUND**

2934           Sec. 5131. Short title.

2935           This subtitle may be cited as the “District of Columbia Housing Authority Rehabilitation  
2936 and Maintenance Fund Amendment Act of 2016”.

2937           Sec. 5132. Section 3 of the District of Columbia Housing Authority Act of 1999,

2938 effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202), is amended as follows:

2939 (a) Subsection (c) is amended as follows:

2940 (1) Strike the phrase “Authority Fund” and insert the phrase “Authority Fund  
2941 (“Authority Fund”)” in its place.

2942 (2) Strike the phrase “credited to the Fund” and insert the phrase “credited to the  
2943 Authority Fund” in its place.

2944 (3) Strike the phrase “out of the Fund” and insert the phrase “out of the Authority  
2945 Fund” in its place.

2946 (b) A new subsection (c-1) is added to read as follows:

2947 “(c-1) There is established as a special fund the DCHA Rehabilitation and Maintenance  
2948 Fund (“R & M Fund”), which shall be administered by the Authority in accordance with this  
2949 subsection.

2950 “(1) Deposits into the R & M Fund shall include \$15 million of one-time resource  
2951 allocated in Fiscal Year 2016 from existing resources within the Authority, as well as annual  
2952 appropriations, and any remaining local funds available to the Authority for the Local Rent  
2953 Supplement Program at the conclusion of each fiscal year.

2954 “(2) The money in the R & M Fund shall be used for the maintenance, repair, and  
2955 rehabilitation of public housing properties within the District.

2956 “(3) The R & M Fund shall not be used to fund:

2957 “(A) Any major rehabilitation or maintenance on any occupied unit set to  
2958 be demolished or otherwise removed from the Authority inventory within 9 months, other than to  
2959 protect the health or safety of tenants; or

2960 “(B) Any repair, maintenance, or rehabilitation of any vacant unit planned

2961 to be demolished or otherwise removed from the Authority inventory within 9 months.

2962                   “(4)(A) The money deposited into the R & M Fund, and interest earned, shall not  
2963 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end  
2964 of the fiscal year, or at any other time.

2965                   “(B) Subject to authorization in an approved budget and financial plan,  
2966 any funds appropriated in the R & M Fund shall be continually available without regard to fiscal  
2967 year limitation.

2968                   “(5) By January 1 and by July 1 of each year, the Authority shall submit a report  
2969 to the Mayor and to each Councilmember that details:

2970                   “(A) How the funds in the R & M Fund were used in the prior fiscal year;

2971                   “(B) The Authority's planned use of money in the R & M Fund for the  
2972 succeeding fiscal year, identifying the following:

2973                   “(i) The address of the each public housing unit to be repaired,  
2974 rehabilitated, or renovated;

2975                   “(ii) The nature of the repairs undertaken, whether they were  
2976 successful, and why;

2977                   “(iii) The number of residents in each unit, including adults and  
2978 children;

2979                   “(iv) The estimated cost of the repair, rehabilitation, or renovation;  
2980 and

2981                   “(v) The share of the cost, if any, to be financed by the federal  
2982 government.”.

2983                   (c) Subsection (d) is amended as follows:

2984 (1) Strike the phrase “from the Fund” and insert the phrase “from the Authority  
2985 Fund” in its place.

2986 (2) Strike the phrase “revert to the fund balance of the General Fund of the  
2987 District of Columbia” and insert the phrase “be deposited in the R & M Fund” in its place.

2988 **SUBTITLE O. LRSP AMENDMENT**

2989 Sec. 5141. Short title.

2990 This subtitle may be cited as the "Local Rent Supplement Amendment Act of 2016".

2991 Sec. 5142. Section 26c of the District of Columbia Housing Authority Act of 1999,  
2992 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a  
2993 new subsection (f) to read as follows:

2994 “(f) Individuals that are categorized as returning citizens 62 years of age and over may be  
2995 referred by the Mayor’s Office on Returning Citizens Affairs to the Authority for the Local Rent  
2996 Supplement Program for eligibility determination.”.

2997 **SUBTITLE P. FLEXIBLE RENT SUBSIDY PILOT**

2998 Sec. 5151. Short title.

2999 This subtitle may be cited as the “Flexible Rent Subsidy Pilot Establishment Act of  
3000 2016”.

3001 Sec. 5152. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.  
3002 Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 31c to  
3003 read as follows:

3004 “Sec. 31c. Flexible Rent Subsidy Pilot Program.

3005           “(a) The Department of Human Services shall establish a Flexible Rent Subsidy Pilot  
3006 Program (“Program”) to subsidize the cost of monthly rent for families receiving, or eligible to  
3007 receive, Continuum of Care services.

3008           “(b) The subsidy shall be provided to each participating family by electronic debt card  
3009 solely for the purpose of paying the family’s monthly rent.

3010           “(c) The annual subsidy for a participating family shall not be equal to or exceed the cost  
3011 of an annual Local Rent Supplement Program housing voucher.

3012           “(d) Within 120 days of October 1, 2016, the Mayor, pursuant to Title I of the District of  
3013 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.  
3014 Official Code § 2-501 et seq.), shall issues rules to implement the provisions of this subtitle,  
3015 including rules establishing program eligibility, the dollar amount of the maximum annual  
3016 subsidy, and rules of program administration.

3017           “(e) This section shall expire on September 30, 2021.”.

3018   **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

3019           **SUBTITLE A. WILDLIFE PROTECTION ENFORCEMENT**

3020           Sec. 6001. Short title.

3021           This subtitle may be cited as the “Wildlife Protection Enforcement Amendment Act of  
3022 2016”.

3023           Sec. 6002. The Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-  
3024 289; D.C. Official Code § 8-2201 *et seq.*), is amended as follows:

3025           (a) Section 2 (D.C. Official Code § 8-2201) is amended by striking the phrase “District  
3026 Department of the Environment” both times it appears and inserting the phrase “Department of  
3027 Energy and Environment” in its place.

3028 (b) Section 10(b) (D.C. Official Code § 8-2209(b)) is amended by striking the phrase  
3029 “inspections, pursuant to section 8” and inserting the phrase “services, including inspections,  
3030 sample collection, document review, or other reasonable costs or fees incurred in implementing  
3031 this act, or regulations promulgated pursuant to this act” in its place.

3032 (c) Section 12 (D.C. Official Code § 8-2211) is amended by adding a new subsection (c)  
3033 to read as follows:

3034 “(c) The Mayor may impose civil infraction penalties, fines, and fees as alternative  
3035 sanctions for any violation of this act or a regulation promulgated pursuant to this act, pursuant  
3036 to the procedures of the Department of Consumer and Regulatory Affairs Civil Infractions Act of  
3037 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.).”.

3038 **SUBTITLE B. AIR QUALITY RULEMAKING AMENDMENT**

3039 Sec. 6011. Short title.

3040 This subtitle may be cited as the “Air Quality Rulemaking Amendment Act of 2016”.

3041 Sec. 6012. The District of Columbia Air Pollution Control Act of 1984, effective March  
3042 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*), is amended as follows:

3043 (a) Section 5(d)(5) (D.C. Official Code § 8-101.05(d)(5)) is amended by striking the  
3044 phrase “District Department of the Environment’s” and inserting the phrase “Department of  
3045 Energy and Environment’s” in its place.

3046 (b) Section 5a(d) (D.C. Official Code § 8-101.05a(d)) is amended by striking the phrase  
3047 “implementing this section and section 5” and inserting the phrase “implementing this act or a  
3048 regulation promulgated pursuant to this act” in its place.

3049 (c) Section 6 (D.C. Official Code § 8-101.06) is amended as follows:

3050 (1) Subsection (b) is repealed.

3051 (2) Subsection (c) is amended to read as follows:

3052 “(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
3053 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2–501 *et seq.*), may issue  
3054 rules to implement the provisions of this act, including establishing fines, permit fees, and other  
3055 fees necessary to support the implementation of this act.”.

3056 **SUBTITLE C. ENERGY INNOVATION AND SAVINGS AMENDMENT**

3057 Sec. 6021. Short title.

3058 This subtitle may be cited as the “Energy Innovation and Savings Amendment Act of  
3059 2016”.

3060 Sec. 6022. The Energy Innovation and Savings Amendment Act of 2012, effective March  
3061 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*), is amended as follows:

3062 (a) Section 201 (D.C. Official Code § 8-1772.01) is amended as follows:

3063 (1) Paragraph (2) is repealed.

3064 (2) Paragraph (3) is amended by striking the phrase “; provided, that the term  
3065 “commercial property” shall not include a small store, hotel, or restaurant.” and inserting a  
3066 period in its place.

3067 (3) A new paragraph (3A) is added to read as follows:

3068 “(3A) “DOEE” means the Department of Energy and Environment.”.

3069 (4) Paragraph (5) is repealed.

3070 (b) Section 202 (D.C. Official Code § 8-1772.02) is amended to read as follows:

3071 “Sec. 202. Commercial property energy conservation.

3072 “(a) A commercial property shall keep exterior doors and windows closed when an air  
3073 conditioner that cools the adjacent area is in operation, except:

3074 “(1) As needed to permit the ingress and egress of people or the delivery or  
3075 shipping of goods;

3076 “(2) As needed to permit vehicular access to or for a loading dock; and

3077 “(3) When an emergency situation exists that requires an exterior door or window  
3078 to be kept open.

3079 “(b) This section shall not apply to exterior doors or windows of hotels and restaurants  
3080 that adjoin an indoor or outdoor seating area where food or beverages are served during times  
3081 when the indoor or outdoor seating area is open for use by customers.

3082 “(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
3083 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue  
3084 rules to implement the provisions of Title II of this act.”.

3085 (c) Section 203(f) (D.C. Official Code § 8-1772.03(f)) is amended by striking the phrase  
3086 “the Director of the District Department of the Environment” and inserting the acronym “DOEE”  
3087 in its place.

3088 Sec. 6023. Section 305(b) of the Energy Efficiency Financing Act of 2010, effective May  
3089 27, 2010 (D.C. Law 18-183; D.C. Official Code § 8-1778.45(b)), is amended by striking the  
3090 phrase “until 5 years after the effective date of the initial contract to retain an administrator.” and  
3091 inserting a period in its place.

3092 **SUBTITLE D. PRODUCT STEWARDSHIP PROGRAM AMENDMENT**

3093 Sec. 6031. Short title.

3094 This subtitle may be cited as the “Product Stewardship Program Amendment Act of  
3095 2016”.

3096           Sec. 6032. The Sustainable Solid Waste Management Amendment Act of 2014, effective  
3097 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is amended as  
3098 follows:

3099           (a) Section 101 (D.C. Official Code § 8-1031.01) is amended as follows:

3100                   (1) Paragraph (3) is amended by striking the period and inserting the phrase “and  
3101 identified on the list of compostable materials described in section 103(b).” in its place.

3102                   (2) Paragraph (6) is amended to read as follows:

3103                           “(6) “DOEE” means the Department of Energy and Environment.”.

3104                   (3) Paragraph (13) is amended by striking the period and inserting the phrase “and  
3105 identified on the list of recyclable materials described in section 103(b).” in its place.

3106           (b) Section 108 (D.C. Official Code § 8-1031.08) is amended by striking the acronym  
3107 “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3108           (c) Section 115(8) (D.C. Official Code § 8-1041.01(8)) is amended by striking the word  
3109 “year” both times it appears and inserting the phrase “calendar year” in its place .

3110           (d) Section 117 (D.C. Official Code § 8-1041.03) is amended as follows:

3111                   (1) Strike the phrase “previous year” wherever it appears and insert the phrase  
3112 “previous calendar year” in its place.

3113                   (2) Strike the phrase “program year” both times it appears and insert the phrase  
3114 “calendar year” in its place.

3115                   (3) Subsection (a) is amended by striking the date “January 1, 2016” and inserting  
3116 the date “June 1, 2017” in its place.

3117                   (4) Subsection (b) is amended as follows:

3118 (A) Strike the date “January 1, 2016” and insert the date “December 31,  
3119 2016” in its place.

3120 (B) Paragraph (9)(C) is amended by striking the phrase “, including how  
3121 the organization will take into account the economic value of different types of covered  
3122 electronic equipment;” and inserting the phrase “; and” in its place.

3123 (e) Section 118 (D.C. Official Code § 8-1041.04) is amended as follows:

3124 (1) Subsection (a) is amended by striking the phrase “previous year” wherever it  
3125 appears and inserting the phrase “previous calendar year” in its place.

3126 (2) Subsection (b) is amended by striking the phrase “program year” and inserting  
3127 the phrase “calendar year” in its place.

3128 (f) Section 119 (D.C. Official Code § 8-1041.05) is amended as follows:

3129 (1) Subsection (a) is amended by striking the date “January 1, 2016” and inserting  
3130 the date “January 1, 2017” in its place.

3131 (2) Subsection (b)(1) is amended as follows:

3132 (A) Subparagraph (A) is repealed.

3133 (B) Subparagraph (D) is amended by striking the phrase “calendar years”  
3134 and inserting the phrase “reporting years” in its place.

3135 (C) Subparagraph (E) is amended by striking the phrase “previous year”  
3136 and inserting the phrase “previous reporting year” in its place.

3137 (3) Subsection (e) is amended by striking the date “January 1, 2017” and inserting  
3138 the date “January 1, 2018” in its place.

3139 (g) Section 124 (D.C. Official Code § 8-1041.10) is amended as follows:

3140 (1) Subsection (a) is amended as follows:

3141 (A) Strike the date “March 1, 2017” and insert the date “June 1, 2018” in  
3142 its place.

3143 (B) Strike the date “April 1” and insert the date “June 1” in its place.

3144 (2) Subsection (b) is amended by striking the date “March 1, 2019” and inserting  
3145 the date “June 1, 2019” in its place.

3146 (h) Section 126 (D.C. Official Code § 8-1041.12) is amended as follows:

3147 (1) Subsection (a)(1) is repealed.

3148 (2) Subsection (b) is amended to read as follows:

3149 “(b) The Mayor may impose civil fines and penalties as sanctions for violations of the  
3150 provisions of this subtitle or any rules issued under the authority of this subtitle, pursuant to the  
3151 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October  
3152 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).”.

3153 (3) A new subsection (c) is added to read as follows:

3154 “(c) In addition to the enforcement authority provided in subsection (b) of this section,  
3155 the Mayor may seek injunctive relief or other appropriate remedy in any court of competent  
3156 jurisdiction to enforce compliance with the provisions of this subtitle.”.

3157 Sec. 6033. Section 3(c) of the Anacostia River Clean Up and Protection Act of 2009,  
3158 effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.02(c)), is amended  
3159 as follows:

3160 (a) Paragraph (1) is amended by striking the semicolon and inserting the phrase “; and” in  
3161 its place.

3162 (b) Paragraph (2) is amended by striking the phrase “; and” and inserting a period in its  
3163 place.

3164 (c) Paragraph (3) is repealed.

3165 Sec. 6034. Section 401 of the Sustainable DC Omnibus Amendment Act of 2014,  
3166 effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531), is amended as  
3167 follows:

3168 (a) The existing paragraph (1) is redesignated as paragraph (1A).

3169 (b) A new paragraph (1) is added to read as follows:

3170 “(1) “Compostable” means made solely of materials that break down into, or  
3171 otherwise become part of, usable compost in a safe and timely manner in an appropriate  
3172 program; provided, that once the Mayor has published the list of compostable materials  
3173 described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of  
3174 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)), the  
3175 materials shall also be identified on that list;”.

3176 (c) A new paragraph (5) is added to read as follows:

3177 “(5) “Recyclable” means made solely of materials that can be recycled using the  
3178 District’s recycling collection program and identified on the list of recyclable materials  
3179 authorized in section 103(b) of the Sustainable Solid Waste Management Amendment Act of  
3180 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)).”.

3181 Sec. 6035. Section 2 of the District of Columbia Comprehensive Plan for a Multi–  
3182 Material Recycling System Act of 1987, effective July 25, 1987 (D.C. Law 7-19; D.C. Official  
3183 Code § 8-1101), is repealed.

3184 **SUBTITLE E. CLEAN AND AFFORDABLE ENERGY AMENDMENT**

3185 Sec. 6041. Short title.

3186 This subtitle may be cited as the “Clean and Affordable Energy Amendment Act of  
3187 2016”.

3188 Sec. 6042. The Clean and Affordable Energy Act of 2008, effective October 22, 2008  
3189 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

3190 (a) Section 101 (D.C. Official Code § 8-1773.01) is amended as follows:

3191 (1) Paragraph (2) is amended to read as follows:

3192 “(2) “DOEE” means the Department of Energy and Environment.”.

3193 (2) Strike the phrase “the District Department of the Environment” wherever it  
3194 appears and insert the acronym “DOEE” in its place.

3195 (3) Paragraph (20) is amended by striking the acronym “DDOE” and inserting the  
3196 acronym “DOEE” in its place.

3197 (b) Section 201 (D.C. Official Code § 8-1774.01) is amended as follows:

3198 (1) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3199 “DOEE” in its place.

3200 (2) Strike the phrase “the District Department of the Environment” and insert the  
3201 acronym “DOEE” in its place. (c) Section 202 (D.C. Official Code § 8-1774.02) is amended by  
3202 striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its  
3203 place.

3204 (d) Section 203 (D.C. Official Code § 8-1774.03) is amended as follows:

3205 (1) Strike the acronym “DDOE” both times it appears and insert the acronym  
3206 “DOEE” in its place.

3207 (2) Strike the phrase “the Energy Office” both times it appears and insert the  
3208 acronym “DOEE” in its place.

3209 (e) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows:

3210 (1) Strike the phrase “the Energy Office” and insert the acronym “DOEE” in its  
3211 place.

3212 (2) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3213 “DOEE” in its place.

3214 (3) Subsection (g) is amended to read as follows:

3215 “(g) The Board shall annually prepare and present a report on the progress of the SEU to  
3216 the Council within 90 days after the conclusion of the independent review of the performance  
3217 and expenditures of the SEU under section 205(k). The Department shall make the report  
3218 available to the public on its website within 10 days of its submission to the Council.”.

3219 (f) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows:

3220 (1) Strike the phrase “District Department of the Environment” and insert the  
3221 acronym “DOEE” in its place.

3222 (2) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3223 “DOEE” in its place.

3224 (g) Section 206 (D.C. Official Code § 8-1774.06) is amended by striking the acronym  
3225 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3226 (h) Section 207 (D.C. Official Code § 8-1774.07) is amended by striking the acronym  
3227 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3228 (i) Section 209 (D.C. Official Code § 8-1774.09) is amended by striking the acronym  
3229 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3230 (j) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

3231 (1) Strike the acronym “DDOE” wherever it appears and insert the acronym  
3232 “DOEE” in its place.

3233 (2) Subsection (c)(10) is amended by striking the phrase “in Fiscal Year 2016”  
3234 and inserting the phrase “in Fiscal Year 2016 and \$1.2 million in Fiscal Year 2017” in its place.

3235 (k) Section 211(e) (D.C. Official Code § 8-1774.11(e)) is amended by striking the  
3236 acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3237 Sec. 6043. The Renewable Energy Portfolio Standard Act of 2004, effective April 12,  
3238 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

3239 (a) Section 3(5) (D.C. Official Code § 34-1431(5)) is amended to read as follows:

3240 “(5) “DOEE” means the Department of Energy and Environment.”.

3241 (b) Section 6 (D.C. Official Code § 34-1434) is amended as follows:

3242 (1) Subsection (d) is amended by striking the acronym “DDOE” and inserting the  
3243 acronym “DOEE” in its place.

3244 (2) Subsection (f) is amended by striking the phrase “District Department of the  
3245 Environment” and inserting the acronym “DOEE” in its place.

3246 (c) Section 8 (D.C. Official Code § 34-1436) is amended as follows:

3247 (1) Strike the phrase “Energy Office” wherever it appears and insert the acronym  
3248 “DOEE” in its place.

3249 (2) Strike the acronym “DDOE” and insert the acronym “DOEE” in its place.

3250 (d) Section 9 (D.C. Official Code § 34-1437) is amended by striking the phrase “Energy  
3251 Office” both times it appears and inserting the acronym “DOEE” in its place.

3252 Sec. 6044. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234;  
3253 D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

3254 (a) Section 2(9A) (D.C. Official Code § 6-1451.01(9A)) is amended to read as follows:

3255 “(9A) “DOEE” means the Department of Energy and Environment.”.

3256 (b) Section 3 (D.C. Official Code § 6-1451.02) is amended by striking the acronym

3257 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3258 (c) Section 4(c)(2) (D.C. Official Code § 6-1451.03(c)(2)) is amended by striking the

3259 acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3260 (d) Section 10 (D.C. Official Code § 6-1451.09) is amended by striking the acronym

3261 “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

3262 (e) Section 12(c) (D.C. Official Code § 6-1451.11(c)) is amended by striking the acronym

3263 “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

3264 **SUBTITLE F. STREETCAR AUTHORIZATION AMENDMENT**

3265 Sec. 6051. Short title.

3266 This subtitle may be cited as the “Streetcar Authorization Amendment Act of 2016”.

3267 Sec. 6052. Section 5 of the District Department of Transportation DC Streetcar

3268 Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-

3269 921.71, note), is repealed.

3270 **SUBTITLE G. PUBLICATION OF SAFETY ENHANCEMENT**

3271 **RECOMMENDATIONS**

3272 Sec. 6061. Short title.

3273 This subtitle may be cited as the “Publication of Safety Enhancement Recommendations

3274 Amendment Act of 2016”.

3275           Sec. 6062. Section 6103 of the Fiscal Year 2014 Budget Support Act of 2013, effective  
3276   December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 50-921.01, note), is amended as  
3277   follows:

3278           (a) The lead-in language is amended by striking the phrase “On or before February 1,  
3279   2014” and inserting the phrase “On or before January 1, 2017, and annually thereafter” in its  
3280   place.

3281           (b) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in  
3282   its place.

3283           (c) Paragraph (2) is amended by striking the period and inserting the phrase “; and” in its  
3284   place.

3285           (d) A new paragraph (3) is added to read as follows:

3286                   “(3) A list of infrastructure and enforcement recommendations to enhance safety  
3287   at each of the 10 most dangerous intersections identified under paragraph (2) of this section, and  
3288   a timeline for the implementation of each recommendation.”.

3289           **SUBTITLE H. BID PARKING ABATEMENT FUND AMENDMENT**

3290           Sec. 6071. Short title.

3291           This subtitle may be cited as the “BID Parking Abatement Fund Amendment Act of  
3292   2016”.

3293           Sec. 6072. Section 6082(b) of the Fiscal Year 2016 Budget Support Act of 2015,  
3294   effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.341(b)), is amended to  
3295   read as follows:

3296                   “(b) The Fund shall be funded by an annual appropriation in the amount of \$120,000  
3297   from the District’s annually approved budget and financial plan.”.

3298           **SUBTITLE I. COMMUNITY RENEWABLE ENERGY CREDIT RATE**

3299           **CLARIFICATION AMENDMENT**

3300           Sec. 6081. Short title.

3301           This subtitle may be cited as the “Community Renewable Energy Credit Rate  
3302 Clarification Amendment Act of 2016”.

3303           Sec. 6082. Section 101(12A) of the Retail Electric Competition and Consumer Protection  
3304 Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501(12A)), is  
3305 amended by striking the phrase “the standard offer service rate for the” and inserting the phrase  
3306 “the full retail distribution rate, which includes generation, transmission, and distribution  
3307 charges, for the” in its place.

3308           **SUBTITLE J. COMPETITIVE GRANTS**

3309           Sec. 6091. Short title.

3310           This subtitle may be cited as the “Competitive Grants Act of 2016”.

3311           Sec. 6092. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3312 grant, on a competitive basis, in an amount not to exceed \$250,000, for a study to evaluate the  
3313 feasibility, costs, and benefits of establishing a municipally–owned, public electric utility in the  
3314 District.

3315           Sec. 6093. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3316 grant, on a competitive basis, in an amount not to exceed \$300,000, to conduct a study on aircraft  
3317 noise for arriving and departing flights from Ronald Reagan Washington National Airport,  
3318 including evaluation of the current noise environment, analysis of current noise impact modeling  
3319 assumptions and inputs, review of current noise abatement programs, and recommendations to  
3320 reduce noise or mitigate its impact.

3321           Sec. 6094. In Fiscal Year 2017, the Department of Small and Local Business  
3322   Development shall award a grant, on a competitive basis, in an amount not to exceed \$135,000,  
3323   to provide clean team services to the following area: Wisconsin Avenue, N.W., from Davis  
3324   Street, N.W., to R Street, N.W.

3325           Sec. 6095. In Fiscal Year 2017, the Department of Energy and Environment shall award a  
3326   grant, on a competitive basis, in an amount not to exceed \$200,000, to one or more nonprofit  
3327   organizations to employ youth in improving and cleaning the Anacostia River and surrounding  
3328   area.

3329           **SUBTITLE K. COMPOST DROP-OFF PROGRAM**

3330           Sec. 6101. Short title.

3331           This subtitle may be cited as the “Compost Drop-Off Program Act of 2016”.

3332           Sec. 6102. Compost drop-off program.

3333           (a) The Department of Public Works (“Department”) shall establish a program that  
3334   allows residents to drop off food waste weekly for compost.

3335           (b) The Department shall establish one drop-off site in each Ward to operate year-round.

3336           (c) The Department shall provide the public with instructional materials that describe:

3337                   (1) How to collect food waste for compost; and

3338                   (2) What food waste is appropriate for compost.

3339           (d) If the Department requires residents to purchase any materials or equipment to  
3340   participate in the program, the Department shall sell the materials or equipment at cost; provided,  
3341   that the Department shall provide any required materials or equipment for free to any resident  
3342   who participates in a federal assistance program.

3343           **SUBTITLE L. ENVIRONMENTAL LITERACY PROGRAM AMENDMENT**

3344           Sec. 6111. Short title.

3345           This subtitle may be cited as the “Environmental Literacy Program Amendment Act of  
3346 2016”.

3347           Sec. 6112. Section 502(d) of the Healthy Schools Act of 2010, effective July 27, 2010  
3348 (D.C. Law 18-209; D.C. Official Code § 38-825.02(d)), is amended to read as follows:

3349           “(d)(1) The Office of the State Superintendent of Education (“OSSE”) shall establish an  
3350 Environmental Literacy Leadership Cadre (“Cadre”), which shall be comprised of teachers,  
3351 selected by OSSE, at public schools and public charter schools. Each teacher in the Cadre shall:

3352                           “(A) Create, if applicable, and help maintain the school garden;

3353                           “(B) Implement composting and recycling programs at their school;

3354                           “(C) Implement the Environmental Literacy Plan, or other OSSE-  
3355 approved guidance, at their school; and

3356                           “(D) Assist other teachers at their school with incorporating science  
3357 standards.

3358           “(2) OSSE shall provide each teacher selected to participate in the Cadre with an  
3359 appropriate and fair stipend, in addition to the teacher’s salary.

3360           “(3) OSSE shall provide grants to nonprofit and community-based organizations  
3361 to support the schools represented in the Cadre by providing or coordinating programs and  
3362 activities related to school-based environmental literacy programs.

3363           “(4) OSSE may create or implement other initiatives or projects that support the  
3364 Cadre.

3365                   “(5) For the purposes of this subsection, the term “Environmental Literacy Plan”  
3366 means the guide instilling environmental literacy in students, published June 2012 by the Mayor  
3367 pursuant to this section.”.

3368                   **SUBTITLE M. SELF-SERVICE EXHAUST EMISSIONS TESTING PILOT**  
3369 **PROGRAM**

3370                   Sec. 6141. Short title.

3371                   This subtitle may be cited as the “Self-Service Exhaust Emissions Testing Pilot Program  
3372 Amendment Act of 2016”.

3373                   Sec. 6142. An Act To provide for the annual inspection of all motor vehicles in the  
3374 District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101 et  
3375 seq.), is amended by adding a new section 10 to read as follows:

3376                   “Sec. 10. Self-service exhaust emissions testing pilot program.

3377                   “(a) Within 120 days of the effective date of the Self-Service Exhaust Emissions Testing  
3378 Pilot Program Amendment Act of 2016, as approved by the Committee of the Whole on May 17,  
3379 2016 (Committee print of Bill 21-669), the Department of Motor Vehicles (“Department”) shall  
3380 establish a pilot program to provide for the use of one or more self-service kiosks to test motor  
3381 vehicles for exhaust emissions.

3382                   “(b) At a minimum, each kiosk shall allow:

3383                   “(1) An individual to test a motor vehicle to determine whether the vehicle  
3384 complies with the exhaust emissions standards established under this act and regulations issued  
3385 pursuant to this act; and

3386                   “(2) For testing 24 hours per day, 7 days per week, on a first-come, first-served  
3387 basis; provided, that the Department may periodically close a kiosk for necessary maintenance.

3388           “(c) The Department shall establish the specifications for the kiosks, the types of motor  
3389 vehicles that are eligible for self-service exhaust emissions testing, the location of the kiosks, and  
3390 the cost per test; provided, that the cost per test shall not exceed the cost per test of an exhaust  
3391 emissions test conducted at a non-self-service inspection station.

3392           “(d) The Department may enter into contracts with one or more vendors for the  
3393 equipment, operation, and maintenance necessary to conduct the pilot program.

3394           “(e) On or before March 30, 2018, the Department shall submit a written report to the  
3395 Council that evaluates the pilot program’s operations, including the number of vehicles  
3396 inspected, a description of issues that arose during the reporting period, and a study of the impact  
3397 of the pilot program on the number of vehicles inspected and wait times at non-self-service  
3398 inspection stations.”.

3399           Sec. 6143. Sunset.

3400           This subtitle shall expire on September 30, 2018.

3401           **SUBTITLE N. WAIVER OF PUBLIC SPACE PERMIT FEES FOR CIVIC**  
3402 **ASSOCIATIONS**

3403           Sec. 6161. Short title.

3404           This subtitle may be cited as the “Civic Associations Public Space Permit Fee Waiver  
3405 Amendment Act of 2016”.

3406           Sec. 6162. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective  
3407 December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

3408           (a) Designate the existing text as subsection (a).

3409           (b) The newly designated subsection (a)(1) is amended by striking the phrase “Is  
3410 conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

3411 (c) A new subsection (b) is added to read as follows:

3412 “(b) For the purposes of this section, the term “civic association” means an organization  
3413 that is:

3414 “(1) Comprised of residents of the community within which the public space,  
3415 public right of way, or public structure is located;

3416 “(2) Operated primarily for the improvement of the community within which the  
3417 public space, public right of way, or public structure is located; and

3418 “(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue  
3419 Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).”.

3420 Sec. 6163. Section 24-225.12 of the District of Columbia Municipal Regulations is  
3421 amended as follows:

3422 (a) Designate the existing text as paragraph (a).

3423 (b) The newly designated paragraph (a)(1) is amended by striking the phrase “Is  
3424 conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

3425 (c) A new paragraph (b) is added to read as follows:

3426 “(b) For the purposes of this subsection, the term “civic association” means any  
3427 organization that is:

3428 “(1) Made up of residents of the community within which the public space, public  
3429 right-of-way, or public structure is located;

3430 “(2) Operated primarily for the improvement or benefit of the community within  
3431 which the public space, public right-of-way, or public structure is located; and

3432 “(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue  
3433 Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).”.

3434                   **SUBTITLE O. KINGMAN ISLAND AND HERITAGE ISLAND STUDY.**

3435                   Sec. 6171. This subtitle may be cited as the “Kingman Island and Heritage Island  
3436 Planning and Feasibility Study Act of 2016”.

3437                   Sec. 6172. (a) By May 1, 2017, the Director of the Department of the Environment  
3438 (“Director”) shall submit to the Council a proposal for the use of Kingman Island and Heritage  
3439 Island for recreational, environmental, and educational purposes and a report supporting the  
3440 proposal.

3441                   (b) The report shall assesses the feasibility and cost of developing, maintaining, and  
3442 managing a state-of-the-art nature center and other possible structures consistent with the  
3443 National Children’s Island Act of 1995, approved July 19, 1996 (110 Stat. 1416; D.C. Official  
3444 Code § 10-1401 et seq.), the Anacostia Waterfront Framework Plan, and the District’s  
3445 Comprehensive Plan on Kingman Island and Heritage Island. It shall include:

3446                               (1) A feasibility review of existing architectural drawings for a nature center;

3447                               (2) Cost estimates for building any proposed infrastructure or amenities  
3448 necessary to conduct recreational, environmental, and educational events on Kingman Island and  
3449 Heritage Island;

3450                               (3) Maintenance costs for the nature center, other structures such as a covered  
3451 pavilion for performances and events, and any infrastructure;

3452                               (4) Potential partnerships for recreational, environmental, and educational  
3453 activities on Kingman Island and Heritage Island; and

3454                               (5) Management options for the nature center and related infrastructure.

3455                   (c) In developing the proposal and report, the Director shall work with:

3456                               (1) The Deputy Mayor for Planning and Economic Development;

- 3457 (2) The Department of Parks and Recreation;
- 3458 (3) The Department of Transportation;
- 3459 (4) Nonprofit organizations focused on the restoration of the Anacostia River;
- 3460 (5) Nonprofit organizations that provide environmental and educational programs
- 3461 and activities;
- 3462 (6) Residents in nearby neighborhoods; and
- 3463 (7) Other possible public and private partners for recreational, environmental, and
- 3464 educational activities on Kingman Island and Heritage Island.

3465 **TITLE VII. FINANCE AND REVENUE**

3466 **SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS**

3467 Sec. 7001. Short title.

3468 This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2016”.

3469 Sec. 7002. Section 4 of the Access to Emergency Epinephrine in Schools Amendment

3470 Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 759), is repealed.

3471 Sec. 7003. Section 3 of the Injured Worker Fair Pay Amendment Act of 2015, effective

3472 December 15, 2015 (D.C. Law 21-39; 62 DCR 13744), is repealed.

3473 Sec. 7004. Section 4 of the Vault Tax Clarification Amendment Act of 2011, effective

3474 January 12, 2012 (D.C. Law 19-78; 58 DCR 10102), is repealed.

3475 Sec. 7005. Section 3 of the Notice Requirements for Historic Properties Amendment Act

3476 of 2014, effective April 30, 2015 (D.C. Law 20-249; 62 DCR 1512), is repealed.

3477 Sec. 7006. Section 3 of the Higher Education Tax Exemption Act of 2016, enacted on

3478 March 16, 2016 (D.C. Act 21-341; 63 DCR 4328), is repealed.

3479           Sec. 7007. Section 7 of the Made in DC Program Establishment Act of 2016, enacted on  
3480 May 3, 2016 (D.C. Act 21-388; 63 DCR \_\_\_\_), is repealed.

3481           Sec. 7008. Section 14 of the Repeal of Outdated and Unnecessary Audit Mandates  
3482 Amendment Act of 2016, enacted on May 10, 2016 (D.C. Act 21-392; 63 DCR \_\_), is repealed.

3483           Sec. 7009. Section 3 of the Campaign Finance Reform and Transparency Amendment  
3484 Act of 2015, effective February 22, 2014 (D.C. Law 21-79; 61 DCR 3469), is repealed.

3485           Sec. 7010. Section 3 of the Voter Registration Access and Ballot Modernization  
3486 Amendment Act of 2013, effective February 26, 2015 (D.C. Law 20-158; 62 DCR 3604), is  
3487 repealed.

3488           Sec. 7011. Section 601 of the Transportation Reorganization Amendment Act of 2015,  
3489 enacted on May 4, 2016 (D.C. Act 21-378; 63 DCR \_\_\_\_), is repealed.

3490           Sec. 7012. Section 4(b) of the Tree Canopy Protection Amendment Act of 2015, enacted  
3491 on May 4, 2016 (D.C. Act 21-386; 63 DCR\_\_\_\_), is repealed.

3492           Sec. 7013. Section 301 of the Trash Compactor Tax Incentive Act of 2014, effective  
3493 (D.C. Law 20-223; 62 DCR 227), is amended to read as follows:

3494           “Sec. 301. Applicability.

3495           “This act shall apply as of October 1, 2016.”.

3496           Sec. 7014. Section 3 of the New Issue Bond Program Tax Exemption Amendment Act of  
3497 2011, effective December 31, 2011 (D.C. Law 19-60; D.C. Official Code § 42-1102, note), is  
3498 repealed.

3499           **SUBTITLE B. OMNIBUS BUDGET SUPPORT CLARIFICATION**

3500           **AMENDMENT**

3501           Sec. 7011. Short title.

3502 This subtitle may be cited as the “Omnibus Budget Support Clarification Amendment Act  
3503 of 2016”.

3504 Sec. 7012. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015  
3505 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

3506 (a) Section 1072(a)(1) is amended by striking the phrase “December 15, 2016” and  
3507 inserting the phrase “April 30, 2017” in its place.

3508 (b) Section 6004 is repealed.

3509 (c) Section 6193 is amended by striking the phrase “2016” and inserting the phrase  
3510 “2017” in its place.

3511 (d) Section 8042(g) is amended by striking the phrase “Notwithstanding any other  
3512 provision in this act” and inserting the phrase “Notwithstanding any other provision of this act,  
3513 and excluding any Master Lease/Equipment (fund Detail 0302) funds” in its place.

3514 Sec. 7014. Section 2(h) of the School Transit Subsidy Act of 1978, effective March 6,  
3515 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)), is amended as follows:

3516 (a) Paragraph (2)(A) is amended by striking the phrase “Under 22 years of age” and  
3517 inserting the phrase “A resident of the District of Columbia under 22 years of age” in its place.

3518 (b) Paragraph (6) is repealed.

3519 Sec. 7023. Section 4a(a)(1) of the General Legislative Procedures Act of 1975, approved  
3520 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a(a)(1)), is amended by striking  
3521 the word “permanent”.

3522 Sec. 7024. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA  
3523 Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-  
3524 155; D.C. Official Code § 1-325.311), is amended to read as follows:

3525 “Sec. 7154. WMATA Operations Support Fund.

3526 “(a) There is established as a special fund the WMATA Operations Support Fund (“Fund”),  
3527 which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this  
3528 section.

3529 “(b) Upon affirmance of the trial court’s summary-judgment rulings by the District of  
3530 Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al.*, Nos. 14-CV-308, 14-  
3531 CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial  
3532 court, to include any additional amounts in taxes and interest paid by defendants or accrued during  
3533 the pendency of that litigation, minus the amounts designated for other purposes in sections 7152  
3534 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment  
3535 Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the  
3536 Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of  
3537 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited in the  
3538 Fund.

3539 “(b-1) Any and all settlements, judgments, or recoveries in *District of Columbia v. Bank of*  
3540 *America, N.A., et al., 2008 CA 007763 B*, including any additional amounts in taxes and interest  
3541 paid by defendants or accrued during the pendency of that litigation, shall be deposited into the  
3542 Fund.”.

3543 “(c) The monies in the Fund shall be available to fund extraordinary or unanticipated  
3544 operating or capital needs of the Washington Metropolitan Area Transit Authority (“WMATA”)  
3545 that arise outside of WMATA’s regular inter-jurisdictional subsidy allocation formulae.

3546           “(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the  
3547 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year,  
3548 or at any other time.

3549           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3550 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3551           Sec. 7025. Section 401 of the Sustainable Solid Waste Management Amendment Act of  
3552 2014, effective February 26, 2015 (D.C. Law 20-154; 62 DCR 3600), is repealed.

3553           Sec. 7026. Section 308(d)(1) of the District of Columbia Public Space Rental Act,  
3554 approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended  
3555 by striking the phrase “For periods beginning after June 30, 2015, interest on unpaid vault rent”  
3556 and inserting the phrase “Beginning September 15, 2015, interest on any unpaid vault rent for  
3557 any vault year” in its place.

3558           Sec. 7027. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13,  
3559 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

3560           (a) Paragraph (2) is amended as follows:

3561                   (1) Subparagraph (E) is amended by striking the word “or”.

3562                   (2) Subparagraph (F) is amended by striking the period and inserting the phrase  
3563 “; or” in its place.

3564                   (3) A new subparagraph (G) is added to read as follows:

3565                           “(G) A substitute teacher or a substitute aide who is employed by District  
3566 of Columbia Public Schools for a period of 30 or fewer consecutive work days.”.

3567           (b) New paragraphs (9) and (10) are added to read as follows:

3568                   “(9) “Substitute aide” means an individual who is employed by District of  
3569 Columbia Public Schools to provide instructional assistance (general, specialized, or  
3570 concentrated) to students on a temporary basis when the regular instructional aide is unavailable.  
3571 The term “substitute aide” does not include an individual employed by District of Columbia  
3572 Public Schools on a term or full-time assignment.

3573                   “(10) “Substitute teacher” means an individual who is employed by District of  
3574 Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular  
3575 teacher is unavailable. The term “substitute teacher” does not include an individual employed by  
3576 District of Columbia Public Schools on a term or full-time assignment.”.

3577                   Sec. 7028. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective  
3578 December 17, 2014 (D.C. Law 20-142; 62 DCR 1243), is amended to read as follows:

3579                   “(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.”.

3580                   Sec. 7029. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980  
3581 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

3582                   (a) Paragraph (4) is amended by striking the word “outcomes” and inserting the phrase  
3583 “outcomes as of December 31, 2015,” in its place.

3584                   (b) A new paragraph (5) is added to read as follows:

3585                   “(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an  
3586 evaluation of multiple years of the summer youth jobs program to assess whether the program has  
3587 met and is meeting program objectives.”.

3588                   Section 7031. Section 47-355.07 of the District of Columbia Official Code is amended as  
3589 follows:

3590                   (a) Subsection (c)(1) is amended as follows:

3591 (1) Subparagraph (A) is amended by striking the phrase “serve at the pleasure of”  
3592 and inserting the phrase “shall be appointed by” in its place.

3593 (2) Subparagraph (B) is amended by striking the phrase “serves at the pleasure of”  
3594 and inserting the phrase “shall be appointed by” in its place.

3595 (3) Subparagraph (D) is amended by striking the phrase “serves at the pleasure of”  
3596 and inserting the phrase “shall be appointed by” in its place.

3597 (b) Subsection (d)(3)(D) is amended by striking the phrase “taken or proposed to be taken”  
3598 and inserting the word “recommended” in its place.

3599 (c) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

3600 “(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an  
3601 alleged violation.

3602 “(2) In investigating a report of an alleged violation, the Review Board may:

3603 “(A) Request assistance from the Office of the Chief Financial Officer, the  
3604 Office of the Inspector General, and the Office of the Attorney General; and

3605 “(B) Consult with the Office of the Attorney General for the purposes of  
3606 obtaining legal advice.

3607 “(d-2) The Review Board:

3608 “(1) Shall have access, subject to any privileges or confidentiality requirements as  
3609 provided by law, to all facilities, files, and databases of the District government, including all files,  
3610 electronic paper records, reports, documents, and other materials that may relate to the investigation;

3611 “(2) May request information or assistance from any District, federal, state, or local  
3612 government agency as may be necessary for carrying out the investigation; and

3613                   “(3) May seek information from parties outside the District government, including  
3614 government contractors, that may be relevant to the investigation.

3615                   “(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of  
3616 boards, commissions, and councils of the District government shall cooperate in an investigation by  
3617 the Review Board and shall provide documents, materials, and information to the Review Board  
3618 upon request.

3619                   “(2) Subject to any applicable privileges, officers, employees, and members of  
3620 boards, commissions, and councils of the District government shall respond truthfully to all  
3621 questions posed by the Review Board, and shall not prevent or prohibit the Review Board from  
3622 initiating, carrying out, or completing an investigation within its jurisdiction.

3623                   “(3) The Review Board:

3624                                 “(A) May require any officer, employee, or member of a board, commission,  
3625 or council of the District government, including the subject of an allegation, to appear before the  
3626 Review Board; and

3627                                 “(B) Shall provide any officer, employee, or member of a board,  
3628 commission, or council of the District who is potentially subject to disciplinary action an  
3629 opportunity to appear before the Review Board.

3630                   “(4) The Review Board may recommend an appropriate disciplinary action with  
3631 respect to any officer, employee, or member of a board, commission, or council of the District  
3632 government who fails to cooperate fully with a Review Board investigation.”.

3633                   Section 7032. Chapter 13A of Title 47 of the District of Columbia Official Code is amended  
3634 as follows:

3635                   (a) Section 47-1341 is amended as follows:

3636 (1) Subsection (a)(1) is amended by striking the phrase “, postage prepaid, bearing a  
3637 postmark from the United States Postal Service,”.

3638 (2) Subsection (b-1)(1) is amended by striking the phrase “, postage prepaid, bearing  
3639 a postmark from the United States Postal Service,”.

3640 (b) Section 47-1353.01(a) is amended by striking the phrase “, postage prepaid, bearing a  
3641 postmark from the United States Postal Service to the last known address of the owner” and  
3642 inserting the phrase “to the person who last appears as the owner of the real property on the tax  
3643 roll, at the last address shown on the tax roll, as updated by the filing of a change of address in  
3644 accordance with § 42-405” in its place.

3645 Section 7033. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
3646 as follows:

3647 (a) The table of contents is amended by striking the phrase “Tax haven updates.” and  
3648 inserting the phrase “Tax haven updates. (Repealed).” in its place.

3649 (b) Section 47-1801.04(49) is amended as follows:

3650 (1) Subparagraph (A) is amended by striking the phrase “means the jurisdictions  
3651 listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and inserting the phrase  
3652 “means a jurisdiction that” in its place.

3653 (2) Subparagraph (B-i) is repealed.

3654 (c) Section 47-1810.09 is repealed.

3655 Section 7034. Section 47-1801.04(11) of the District of Columbia Official Code is amended  
3656 as follows:

3657 (a) Subparagraph (A) is amended by striking the phrase “calendar year beginning January 1,  
3658 2011” wherever it appears and inserting the phrase “base year” in its place.

3659 (b) A new subparagraph (C) is added to read as follows:

3660 “(C) For the purposes of this paragraph, the term “base year” shall mean the  
3661 calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before  
3662 the calendar year in which the new dollar amount of a deduction or exemption shall become  
3663 effective, whichever is later.”.

3664 Section 7035. Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is  
3665 amended to read as follows:

3666 “(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal  
3667 exemption otherwise allowable for the taxable year in the case of an individual whose adjusted  
3668 gross income exceeds \$150,000 shall be reduced by 2% for every \$2,500 (or fraction thereof) by  
3669 which the taxpayer’s adjusted gross income for the taxable year exceeds \$150,000.”.

3670 Section 7036. Section 6(b) of the Food Policy Council and Director Establishment Act of  
3671 2014, effective March 10, 2015 (D.C Law 20-191; 62 DCR 3820), is amended to read as follows:

3672 “(b) Section 5 shall apply as of October 1, 2015.”.

3673 Section 7037. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective  
3674 October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase “shall be  
3675 a violation of” and inserting the phrase “shall be a violation, to be adjudicated pursuant to” in its  
3676 place.

3677 Section 7038. Section 2404 of Title 18 of the District of Columbia Municipal  
3678 Regulations (18 DCMR § 2404) is amended as follows:

3679 (a) Subsection 2404.15 is amended to read as follows:

3680 “2404.15 Except as provided in § 2424, the rates for parking meters in the “Premium  
3681 Demand Parking Meter Rate Zones” shall be as follows:

3682 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

3683 “(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

3684 (b) Subsection 2404.17 is amended to read as follows:

3685 “2404.17 Except as provided in § 2424, the rates for parking meters in the “Normal  
3686 Demand Parking Meter Rate Zones” shall be as follows:

3687 “(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

3688 “(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

3689 (c) This section shall apply as of June 1, 2016.

3690 Sec. 7039. Section 8052 of the Fiscal Year 2016 Capital Rescission Act of 2015,  
3691 effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

3692 (a) Strike the phrase “YY105C” in the tabular array and insert the phrase “YY159C” in  
3693 its place.

3694 (b) Strike the phrase “PROSPECT ES MODERNIZATION/RENOVATION” in the  
3695 tabular array and insert the phrase “ELLINGTON MODERNIZATION/RENOVATION” in its  
3696 place.

3697 Sec. 7040. Section 5 of the Primary Date Alteration Amendment Act of 2014, effective  
3698 May 2, 2015 (D.C. Law 20-273; 62 DCR 1938), is repealed.

3699 Section 7041. Title 47 of the District of Columbia Official Code is amended as follows:

3700 (a) Section 47-1807.02(a)(6) of the District of Columbia Official Code is amended by  
3701 striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

3702 (b) Section 47-1808.03(a)(6) of the District of Columbia Official Code is amended by  
3703 striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

3704           **SUBTITLE C. COMBINED REPORTING AMENDMENT**

3705           Sec. 7021. Short title.

3706           This subtitle may be cited as the “Combined Reporting Amendment Act of 2016”.

3707           Sec. 7022. Section 47-1810.08(b) of the District of Columbia Official Code is amended  
3708 as follows:

3709           (a) Designate the existing text as paragraph (1).

3710           (b) The newly designated paragraph (1) is amended by striking the phrase “5th year” and  
3711 inserting the phrase “10th year” in its place.

3712           (c) A new paragraph (2) is added to read as follows:

3713                   “(2) If there is an underpayment of estimated tax for tax year 2015 as a result of  
3714 taking into account the deduction pursuant to this section, the estimated tax interest resulting  
3715 from such underpayment, upon application, shall be waived.”.

3716           **SUBTITLE D. FRANCHISE TAX RETURN DUE DATE**

3717           Sec. 7031. Short title.

3718           This subtitle may be cited as the “Franchise Tax Return Due Date Amendment Act of  
3719 2016”.

3720           Sec. 7032. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
3721 as follows:

3722           (a) Section 47-1805.01 is amended by striking the word “Mayor” wherever it appears  
3723 and inserting the phrase “Chief Financial Officer” in its place.

3724           (b) Section 47-1805.02 is amended by striking the word “Mayor” wherever is appears  
3725 and inserting the phrase “Chief Financial Officer” in its place.

3726           (c) Section 47-1805.03 is amended as follows:

3727 (1) Subsection (a) is amended as follows:

3728 (A) Designate the existing text as paragraph (1).

3729 (B) The newly designated paragraph (1) is amended as follows:

3730 (i) Strike the phrase “All returns” and insert the phrase “For tax  
3731 years beginning before January 1, 2016, all returns” in its place.

3732 (ii) Strike the phrase “filed with the Mayor” and insert the phrase  
3733 “filed with the Chief Financial Officer” in its place.

3734 (C) A new paragraph (2) is added to read as follows:

3735 “(2) For tax years beginning after December 31, 2015, all returns of  
3736 income for the preceding taxable year required to be filed under the provisions of § 47-1805.01  
3737 shall be filed with the Chief Financial Officer on or before the 15th day of April of each year;  
3738 except, that such returns, if made on the basis of a fiscal year, shall be filed on or before the 15th  
3739 day of the 4th month following the close of such fiscal year.”.

3740 (2) Subsection (b) is amended by striking the phrase “The Mayor” and inserting  
3741 the phrase “The Chief Financial Officer” in its place.

3742 **SUBTITLE E. COLLEGE SAVINGS PROGRAM AMENDMENT**

3743 Sec. 7041. Short title.

3744 This subtitle may be cited as the “College Savings Program Amendment Act of 2016”.

3745 Sec. 7042. The lead-in text of section 47-4512(b)(1) of the District of Columbia Official  
3746 Code is amended to read as follows:

3747 “By May 31st of each year, the Chief Financial Officer shall submit to the Council a  
3748 report for the preceding fiscal year, which shall include:”.

3749           **SUBTITLE F. D.C. LOTTERY AMENDMENT**

3750           Sec. 7051. Short title.

3751           This subtitle may be cited as the "Lottery Amendment Act of 2016".

3752           Sec. 7052. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles  
3753 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;  
3754 D.C. Official Code § 3-1301 *et. seq.*), is amended as follows:

3755           (a) Section 4 (D.C. Official Code § 3-1301) is amended to read as follows:

3756           “Section 2-2501. Creation; established as an office within the Office of the Chief  
3757 Financial Officer; transfer of powers; definitions.

3758           “(a) There is hereby created by the District of Columbia, the District of Columbia Lottery  
3759 and Charitable Games Control Board.

3760           “(b) Effective with the appointment of the first Chief Financial Officer under section  
3761 424(b) and pursuant to section 424(a)(3) of the District of Columbia Home Rule Act, approved  
3762 April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), the Board is established as a  
3763 subordinate office within the Office of the Chief Financial Officer and shall be called the Office  
3764 of Lottery and Charitable Games. All of the powers, duties, functions, and personnel of the  
3765 Board are transferred to the Office of the Chief Financial Officer.

3766           “(c) For this purposes of this act, the term:

3767           (1) “Board” means the District of Columbia Lottery and Charitable Games  
3768 Control Board established by this section.

3769           (2) “Office” means the Office of Lottery and Charitable Games established by this  
3770 section.”.

3771           (b) Section 4 (D.C. Official Code § 3-1302) is amended to read as follows:

3772 “Section 2-2502. Oath requirement.

3773 “Before entering upon the discharge of the duties of office, the Executive Director and  
3774 the Deputy Director shall take an oath that he or she will faithfully execute the duties of office  
3775 according to the laws of the District of Columbia. In addition, each employee of the Office shall  
3776 take and subscribe to an oath or affirmation that he or she is not pecuniarily interested,  
3777 voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association,  
3778 organization, or corporation engaged in any activity related to legalized or illegal gambling. If  
3779 required by the Chief Financial Officer, an employee shall file a financial disclosure statement  
3780 according to the laws of the District of Columbia.”.

3781 (c) Section 4 (D.C. Official Code § 3-1303) is amended to read as follows:

3782 “(a)(1) Pursuant to section 424a of the District of Columbia Home Rule Act, approved  
3783 April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), after consultation with the  
3784 Mayor and the Council, the Chief Financial Officer shall appoint an Executive Director and a  
3785 Deputy Director of the Office, each of whom shall serve at the pleasure of the Chief Financial  
3786 Officer.

3787 “(2) The Chief Financial Officer shall determine the compensation for the  
3788 Executive Director and the Deputy Director.

3789 “(3) Prior to performing the duties of their respective offices, the Executive  
3790 Director and the Deputy Director shall take the oath of office as required by section 4 (D.C.  
3791 Official Code § 3-1302).

3792 “(b)(1) Subject to the direction and supervision of the Chief Financial Officer, the  
3793 Executive Director shall:

3794 “(A) Serve as the Chief Executive Officer of the Office;

3795                           “(B) Manage, administer, and coordinate the operation of public gambling  
3796 and charitable games activities; and

3797                           “(C) Employ other assistants and employees who shall serve at the  
3798 pleasure of the Chief Financial Officer.

3799                           “(2)(A) The Chief Financial Officer may delegate any of his or her functions to the  
3800 Executive Director or to any other officer or employee of the Office, and may delegate to the  
3801 Executive Director or other employee such other duties the Chief Financial Officer considers  
3802 necessary for the proper and efficient operation of public gambling and charitable activities.

3803                           “(B) The Executive Director may, with the approval of the Chief Financial  
3804 Officer, make a further delegation of all or a part of the functions to subordinates under his or her  
3805 jurisdiction.

3806                           “(C) The Chief Financial Officer may revoke any delegation at any time.”.

3807                           (d) Section 4 (D.C. Official Code § 3-1304) is amended to read as follows:

3808                           “The Chief Financial Officer may require any of its Office employees to give a bond in  
3809 an amount determined by the Chief Financial Officer. Every such bond shall be filed with the  
3810 District of Columbia Treasurer. The cost of any bond given pursuant to this subsection shall be  
3811 part of the necessary expenses of the Office. Further, Office employees shall be fingerprinted  
3812 before, and as a condition of, employment.

3813                           (e) Section 4 (D.C. Official Code § 3-1305) is amended by striking the phrase “No  
3814 member of the Board, Chairperson of the Board, Executive Director, or employee of the Board”  
3815 and inserting the phrase “Neither the Executive Director nor any employee of the Office” in its  
3816 place.

3817                           (f) Section 4 (D.C. Official Code § 3-1306) is amended as follows:

3818 (1) Subsection (a) is amended as follows:

3819 (A) The first sentence is amended as follows:

3820 (i) Strike the phrase “The Board shall have” and insert the phrase  
3821 “The Chief Financial Officer shall have” in its place.

3822 (ii) Strike the phrase “existing licensees of the Board” and insert  
3823 the phrase “existing licensees of the Office” in its place.

3824 (B) The second sentence is amended as follows:

3825 (i) Strike the word “Board” and insert the phrase “Chief Financial  
3826 Officer” in its place.

3827 (ii) Strike the phrase “Corporation Counsel” and insert the phrase  
3828 “Attorney General” in its place.

3829 (2) Subsection (b) is amended by striking the word “Board” both times it appears  
3830 and inserting the phrase “Chief Financial Officer” in its place.

3831 (g) Section 4 (D.C. Official Code § 3-1307) is amended as follows:

3832 (1) The first sentence is amended as follows:

3833 (A) Strike the word “Board” and insert the phrase “Chief Financial  
3834 Officer” in its place.

3835 (B) Strike the phrase “disbursements of the Board” and insert the phrase  
3836 “disbursements of the Office” in its place.

3837 (2) The second sentence is amended by striking the phrase “which the Board may  
3838 deem” and inserting the phrase “that the Chief Financial Officer may consider” in its place.

3839 (3) The third sentence is amended by striking the word “Board” and inserting the  
3840 phrase “Chief Financial Officer” in its place.

3841 (h) Section 4 (D.C. Official Code § 3-1308) is amended to read as follows:

3842 “(a) The Chief Financial Officer, the designee of the Chief Financial Officer, or other  
3843 agent authorized by law (“empowered authority”) shall have the power to administer oaths and  
3844 take testimony under oath relative to a matter of inquiry or investigation undertaken pursuant to  
3845 this act. At any hearing ordered by the Chief Financial Officer or designee, the empowered  
3846 authority may subpoena witnesses and require production of records, papers, and documents  
3847 relevant to the inquiry or investigation.

3848 “(b) The refusal or failure to provide relevant testimony or produce relevant records,  
3849 papers, and documents pursuant to a properly issued subpoena of the Chief Financial Officer or  
3850 designee by any applicant before the empowered authority, or by any officer, director, or  
3851 employee of the applicant, licensee, or agent, may subject the applicant to summary denial of its  
3852 application and summary termination of its license or authorization of the licensee or agent.

3853 “(c)(1) If any person disobeys the process authorized pursuant to this section or having  
3854 appeared in obedience to a lawful request to appear refuses to answer any relevant or pertinent  
3855 question propounded by the empowered authority, the Chief Financial Officer or designee may  
3856 apply to the Superior Court of the District of Columbia, or to any judge of the Court if the Court  
3857 is not in session, (“Court”) setting forth the facts relating to the disobedience to the process or  
3858 refusal to answer questions, the Court shall order the person to appear before the Court to answer  
3859 the questions the person had been asked or to produce the records and papers sought at the  
3860 inquiry or investigation.

3861 “(d) Upon the person’s continued refusal, the Court, in accordance with the appropriate  
3862 provisions of District law, shall take such punitive action as the Court considers necessary and  
3863 appropriate.

3864           “(e) Notwithstanding the imposition of any punitive action imposed on the person by the  
3865 Court, the Chief Financial Officer or designee may proceed with the inquiry or investigation as if  
3866 the person had not previously been called to testify.”.

3867           (i) Section 4 (D.C. Official Code § 3-1309) is amended to read as follows:

3868           “Section 2-2509. Recordkeeping.

3869           “The Chief Financial Officer shall maintain full and complete records of the conduct and  
3870 operation of daily numbers games and lotteries and of the regulation of bingo, raffles, and Monte  
3871 Carlo Night parties, which shall include a statement of revenues and license fees, prize  
3872 disbursements, and administrative expenses. The records shall be open and available to the  
3873 public.”.

3874           (j) Section 4 (D.C. Official Code § 3-1310) is amended to read as follows:

3875           “The Chief Financial Officer shall have the authority to establish Divisions within the  
3876 Office.”.

3877           (k) Section 4 (D.C. Official Code § 3-1311) is amended to read as follows:

3878           “(a)(1) The Chief Financial Officer shall submit to the Mayor a consolidated budget  
3879 covering all anticipated income, expenses (including all start-up costs), and capital outlays of the  
3880 Office, which budget shall show the net amount for which it requests an appropriation.

3881           “(2) The net amount for which the Chief Financial Officer requests an  
3882 appropriation shall be the difference between the anticipated expenses for the coming fiscal year,  
3883 including debt service for capital expenses and a reserve for bad debts, as shown in the  
3884 consolidated budget, and the anticipated income shown in that budget.

3885           “(b)(1) The budget shall be submitted on the date that all District government agencies  
3886 are required to submit their budgets to the Mayor.

3887                   “(2) The Mayor shall transmit to the Council the budget as requested by the Chief  
3888 Financial Officer. The Mayor may also submit such modified budget as the Mayor considers  
3889 appropriate.

3890                   (1) Section 4 (D.C. Official Code § 3-1312) is amended as follows:

3891                   (1) Subsection (a) is amended by striking the word “Board” wherever it appears  
3892 and inserting the phrase “Chief Financial Officer” in its place.

3893                   (2) Subsection (b) is amended to read as follows:

3894                   “(b) Any monies of the Office, from whatever source derived (including gifts to  
3895 the Office), shall be for the sole use of the Fund and shall be deposited as soon as practicable in  
3896 the Fund and shall be disbursed from the Fund according to the terms of this act. The  
3897 disbursements of up to \$500 from the Fund shall be paid out in checks signed by the Executive  
3898 Director or designee. Disbursements in excess of \$500 shall be paid out in checks signed by the  
3899 Executive Director and the Treasurer of the District of Columbia.”.

3900                   (3) Subsection (c) is amended by striking the word “Board” wherever it appears  
3901 and inserting the phrase “Chief Financial Officer” in its place.

3902                   (m) Section 4 (D.C. Official Code § 3-1313) is amended by striking the word “Board”  
3903 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3904                   (n) Section 4 (D.C. Official Code § 3-1314) is amended as follows:

3905                   (1) The first sentence is amended by striking the phrase “The Board shall” and  
3906 inserting the phrase “The Office shall” in its place.

3907                   (2) The second and third sentences are amended by striking the word “Board”  
3908 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3909 (o) Section 4 (D.C. Official Code § 3-1315) is amended by striking the word “Board”  
3910 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3911 (p) Section 4 (D.C. Official Code § 3-1316) is amended as follows:

3912 (1) Subsection (a) is amended as follows:

3913 (A) Strike the phrase “Board, in its discretion,” and insert the phrase  
3914 “Chief Financial Officer, in the Chief Financial Officer’s discretion,” in its place.

3915 (B) Strike the phrase “in the name of the Board, to the Credit of the Board,  
3916 which the Board is authorized to establish, in institutions designated by it which are legal” and  
3917 insert the phrase “in the name of the Office, to the credit of the Office, which the Chief Financial  
3918 Officer is authorized to establish, in institutions designated by the Chief Financial Officer that  
3919 are legal” in its place.

3920 (2) Subsection (b) is amended as follows:

3921 (A) Strike the phrase “benefit of the Board” and insert “benefit of the  
3922 Office” in its place.

3923 (B) Strike the phrase “transferred to the Board. The Board shall” and  
3924 insert the phrase “transferred to the Office. The Chief Financial Officer shall” in its place.

3925 (C) Strike the phrase “sales agents. The Board” and insert the phrase  
3926 “sales agents. The Chief Financial Officer” in its place.

3927 (q) Section 4 (D.C. Official Code § 3-1317) is amended as follows:

3928 (1) Strike the phrase “The Board may authorize” and insert the phrase “The Chief  
3929 Financial Officer may authorize” in its place.

3930 (2) Strike the phrase “the Board may determine.” and insert the phrase “the Chief  
3931 Financial Officer may determine.” in its place.

3932                   (3) Strike the phrase “accounts of the Board” and insert the phrase “accounts of  
3933 the Office” in its place.

3934                   (4) Strike the phrase “authorized by the Board because” and insert the phrase  
3935 “authorized by the Chief Financial Officer because” in its place.

3936                   (5) Strike the phrase “as the Board may require.” and insert the phrase “as the  
3937 Chief Financial Officer may require.” in its place.

3938                   (r) Section 4 (D.C. Official Code § 3-1318) is amended as follows:

3939                   (1) Subsection (a) is amended as follows:

3940                   (A) The lead-in text is amended by striking the word “Board” and  
3941 inserting the word “Office” in its place.

3942                   (B) Paragraph (5) is amended by striking the word “Board” and inserting  
3943 the phrase “Chief Financial Officer” in its place.

3944                   (2) Subsection (b) is amended by striking the word “Board” and inserting the  
3945 phrase “Chief Financial Officer” in its place.

3946                   (s) Section 4 (D.C. Official Code § 3-1319) is amended by striking the word “Board” and  
3947 inserting the phrase “Chief Financial Officer” in its place.

3948                   (t) Section 4 (D.C. Official Code § 3-1320) is amended as follows:

3949                   (1) Strike the phrase “Any member or employee of the Board” and insert the  
3950 phrase “The Chief Financial Officer, any employee of the Office,” in its place.

3951                   (2) Strike the phrase “any member or employee of the Board” and insert the  
3952 phrase “the Chief Financial Officer or any employee of the Office” in its place.

3953                   (u) Section 4 D. C. Official Code § 3-1321) is amended as follows:

3954                   (1) The existing text is designated as subsection (a).

3955 (2) The newly designated subsection (a) is amended as follows:

3956 (A) Strike the phrase “The Board” each time it appears and insert the  
3957 phrase “The Chief Financial Officer” in its place.

3958 (B) Strike the phrase “paid over to the Board which shall” and insert the  
3959 phrase “paid over to the District of Columbia Treasurer who shall” in its place.

3960 (C) A new subsection (b) is added to read as follows:

3961 “(b) Any rule or regulation promulgated by the Board prior to the transfer  
3962 of its functions and personnel to the Chief Financial Officer by section 424(a)(3) of the District  
3963 of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-  
3964 204.24a(c)), shall continue in effect, except to the extent as modified or superseded by the Chief  
3965 Financial Officer, or designee, or made inapplicable by or under other law.”.

3966 (v) Section 4 (D.C. Official Code § 3-1322) is amended by striking the word “Board” and  
3967 inserting the phrase “Chief Financial Officer” in its place.

3968 (w) Section 4 (D.C. Official Code § 3-1322.01) is amended by striking the word “Board”  
3969 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

3970 (x) Section 4 (D.C. Official Code § 3-1323) is amended as follows:

3971 (1) Subsection (b) is amended by striking the word “Board” and inserting  
3972 the word “Office” in its place.

3973 (2) Subsection (b-1) is amended as follows:

3974 (A) Paragraph (1) is amended by striking the word “Board” and  
3975 inserting the word “Office” in its place.

3976 (B) Paragraphs (2) and (3) are amended by striking the word  
3977 “Board” both times it appears and inserting the phrase “Chief Financial Officer” in its place.

3978 (3) Subsections (c) and (d) are amended by striking the word “Board”  
3979 both times it appears and inserting the word “Office” in its place.

3980 (y) Section 4 (D.C. Official Code § 3-1324) is amended as follows:

3981 (1) Strike the phrase “The Board shall adopt rules” and insert the phrase “Chief  
3982 Financial Officer” in its place.

3983 (2) Strike the phrase “raffles. The Board” and insert the phrase “raffles. The  
3984 Office” in its place.

3985 (3) Strike the phrase “regulations. The Board” and insert the phrase “regulations.  
3986 The Office” in its place.

3987 (4) Strike the phrase “paid over to the Board” and insert the phrase “paid over to  
3988 the Office” in its place.

3989 (5) Strike the phrase “right to a hearing before the Board” and insert the phrase  
3990 “right to a hearing before the Chief Financial Officer or designee” in its place.

3991 (z) Section 4 (D.C. Official Code § 3-1325) is amended as follows:

3992 (1) Strike the phrase “regulations of the Board and to insure” and insert the phrase  
3993 “regulations of the Chief Financial Officer and to insure” in its place.

3994 (2) Strike the phrase “given to the Board” and insert the phrase “given to the  
3995 Office” in its place.

3996 (3) Strike the phrase “determined by the Board.” and insert the phrase  
3997 “determined by the Chief Financial Officer.” in its place.

3998 (4) Strike the phrase “pay to the Board” and insert “pay to the Office” in its  
3999 place.

4000 (aa) Section 4(a) (D.C. Official Code § 3-1326(a)) is amended as follows:

4001 (1) Strike the phrase “licensed by the Board” both times it appears and insert the  
4002 phrase “licensed by the Office” in its place.

4003 (2) Strike the phrase “regulations of the Board” and insert the phrase “regulations  
4004 of the Chief Financial Officer” in its place.

4005 (3) Strike the phrase “prescribed by the Board” and insert the phrase “prescribed  
4006 by the Office” in its place.

4007 (4) Strike the phrase “directives of the Board” and insert the phrase “directives of  
4008 the Chief Financial Officer” in its place.

4009 (bb) Section 4 (D.C. Official Code § 3-1327) is amended as follows:

4010 (1) Strike the phrase “set by the Board” and insert the phrase “set by the Chief  
4011 Financial Officer” in its place.

4012 (2) Strike the phrase “enable the Board” and insert the phrase “enable the Office”  
4013 in its place.

4014 (cc) Section 4(a) (D.C. Official Code § 3-1328(a)) is amended by striking the phrase  
4015 “The Board, in its discretion” and inserting the phrase “The Chief Financial Officer, in the Chief  
4016 Financial Officer’s discretion” in its place.

4017 (dd) Section 4 (D. C. Official Code § 3-1329) is amended by striking the word “Board”  
4018 and inserting the word “Office” in its place.

4019 (ee) Section 4 (D. C. Official Code §§ 3-1330) is amended by striking the word “Board”  
4020 wherever it appears and inserting the word “Office” in its place.

4021 (ff) Section 4 (D.C. Official Code § 3-1331) is amended as follows:

4022 (1) Strike the phrase “regulations set forth by the Board” and insert the phrase  
4023 “regulations set forth by the Chief Financial Officer” in its place.

4024 (2) Strike the phrase “at which he shall have the right” and insert the phrase “at  
4025 which the licensee shall have the right” in its place.

4026 (3) Strike the phrase “revoked, the Board shall state” and insert the phrase  
4027 “revoked, the Chief Financial Officer shall state” in its place.

4028 (4) Strike the phrase “record books of the Board” and insert the phrase “record  
4029 books of the Chief Financial Officer” in its place.

4030 (gg) Section 4 (D. C. Official Code § 3-1332) is amended by striking the word “Board”  
4031 and inserting the word “Office” in its place.

4032 (hh) Section 4 (D.C. Official Code § 3-1335) is amended striking the word “Board”  
4033 wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

4034 (ii) Section 4 (D. C. Official Code § 3-1336) is amended as follows:

4035 (1) In subsection (a), strike the phrase “No Board member, officer, or employee of  
4036 the Board” and insert the phrase “Neither the Chief Financial Officer nor any employee of the  
4037 Office of the Chief Financial Officer or the Office” in its place.

4038 (2) Subsection (b) is amended as follows:

4039 (A) Strike the phrase “Office of Contracting and Procurement” and  
4040 insert the phrase “Office of Contracts of the Office of the Chief Financial Officer” in its place.

4041 (B) Strike the phrase “on behalf of the Board” and insert the phrase “on  
4042 behalf of the Office” in its place.

4043 (3) Subsection (d) is amended to read as follows:

4044 “No contract awarded or entered into by the Office of the Chief Financial Officer  
4045 may be assigned by the holder thereof except by specific approval of the Chief Financial  
4046 Officer.”.

4047 (4) Subsection (g) is amended by striking the word “Board” and inserting the  
4048 phrase “Chief Financial Officer” in its place.

4049 Sec. 7053. Section 2(e)(11) of the Confirmation Act of 1978, effective March 3, 1979  
4050 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(11)), is repealed.

4051 Sec. 7054. The District of Columbia Government Comprehensive Merit Personnel Act of  
4052 1978, effective March 3, 1979 (D.C. Law 2-139; D. C. Official Code 1-601.01 *et. seq.*), is  
4053 amended as follows:

4054 (a) Section 406(b)(14) (D.C. Official Code § 1-604.06(b)(14)) is amended to read as  
4055 follows:

4056 “(14) For all employees of the Office of Lottery and Charitable Games, including  
4057 the Executive Director, the personnel authority is the Chief Financial Officer.”.

4058 (b) Section 908(13) (D.C. Official Code § 1-609.08(13)) is repealed.

4059 **SUBTITLE G. OIG AUDIT AMENDMENT**

4060 Sec. 7061. Short title.

4061 This subtitle may be cited as the “Office of Inspector General Audit Amendment Act of  
4062 2016”.

4063 Sec. 7062. Section (3)(e) of the District of Columbia Emergency Relief Act, approved  
4064 August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02(e)), is amended by striking the  
4065 phrase “March 15 thereafter” and inserting the phrase “May 31 thereafter” in its place.

4066 **SUBTITLE H. PARKSIDE PARCEL E AND J TAX ABATEMENT**

4067 Sec. 7071. Short title.

4068 This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments Tax  
4069 Abatement Amendment Act of 2016”.

4070           Sec. 7072. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as  
4071 follows:

4072           (a) The table of contents is amended by striking the phrase “47-4658. Parkside Parcel E  
4073 and J Mixed-Income Apartments; Lot 808, Square 5041 and Lot 811, Square 5056.” and  
4074 inserting the phrase “47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.” in its place.

4075           (b) Section 47-4658 is amended as follows:

4076                   (1) The heading is amended to read as follows:

4077                   “§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.”.

4078                   (2) Subsection (a) is amended to read as follows:

4079                   “(a) Subject to subsection (b) of this section, the real property described as Lot 72 in  
4080 Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement  
4081 equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of  
4082 up to a total maximum amount for each lot of \$300,000 per year for 10 property tax years  
4083 commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that  
4084 specific lot is issued a final certificate of occupancy (“commencement date”) and ending for each  
4085 lot at the end of the 10th full real property tax year following the lot’s commencement date.”.

4086                   (3) Subsections (c) and (d) are amended to read as follows:

4087                   “(c) Notwithstanding any other provision of law and provided that the final certificate of  
4088 occupancy is issued on or before September 20, 2018, upon the issuance of a final certificate for  
4089 Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for  
4090 the development of Lot 72 or Lot 811, including private space or building permit fees or public  
4091 space permit fees (“related fees”), shall be refunded and any prospective related fees forgiven.

4092           “(d) The tax abatements and fees and deposits exemptions provided pursuant to this  
4093 section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other  
4094 source applicable to the development of Lot 72 or Lot 811.”.

4095           **SUBTITLE I. SCHEDULE H CONSUMER PRICE INDEX AMENDMENT**

4096           Sec. 7081. Short title.

4097           This subtitle may be cited as the “Schedule H Consumer Price Index Amendment Act of  
4098 2016”.

4099           Sec. 7082. Section 47-1806.06(r) of the District of Columbia Official Code is amended to  
4100 read as follows:

4101           “(r)(1) “The maximum credit amount of \$1000 shall be adjusted annually for inflation  
4102 based on the Consumer Price Index (if the adjustment does not result in a multiple of \$25,  
4103 rounded to the next lowest multiple of \$25).

4104           “(2) The eligibility income threshold of \$50,000 (\$60,000 for eligible senior  
4105 claimants) shall be adjusted annually for inflation based on the Consumer Price Index (if the  
4106 adjustment does not result in a multiple of \$100, rounded to the next lowest multiple of \$100).

4107           “(3) In the case of a negative annual inflation rate based on the Consumer Price  
4108 Index, neither the credit amount of \$1000 nor the eligibility income threshold of \$50,000  
4109 (\$60,000 for eligible senior claimants) shall be decreased.

4110           “(4) For the purposes of this subsection, the term “Consumer Price Index” means  
4111 the all items index of the Consumer Price Index for All Urban Consumers for Washington-  
4112 Baltimore Area, published by the Bureau of Labor Statistics of the United States Department of  
4113 Labor.”.

4114           **SUBTITLE J. TAX SALE RESOURCE CENTER AND DEED CLARIFICATION**

4115           Sec. 7091. Short title.

4116           This subtitle may be cited as the “Tax Sale Resource Center and Deed Clarification  
4117 Amendment Act of 2016”.

4118           Sec. 7092. Chapter 13A of Title 47 of the District of Columbia Official Code is amended  
4119 as follows:

4120           (a) Section 47-1341 is amended as follows:

4121                   (1) Subsection (a)(2) is amended by striking the phrase:

4122                           “Tax Sale Resource Center. Resource Center attorneys provide legal information  
4123 to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings  
4124 from 10:00am to 12:00pm when court is in session. The Resource Center is located in the  
4125 Moultrie Courthouse at 500 Indiana Ave. NW.”.

4126                   (2) Subsection (b-1)(2) is amended by striking the phrase:

4127                           “Tax Sale Resource Center. Resource Center attorneys provide legal  
4128 information to taxpayers and interested parties who do not have their own lawyers on  
4129 Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center  
4130 is located in the Moultrie Courthouse at 500 Indiana Ave. NW.”.

4131                   (b) Section 47-1353.01(b) is amended by striking the phrase:

4132                           “Tax Sale Resource Center. Resource Center attorneys provide legal information  
4133 to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings  
4134 from 10:00am to 12:00pm when court is in session. The Resource Center is located in the  
4135 Moultrie Courthouse at 500 Indiana Ave., NW.”.

4136           (c) Section 47-1382(b) is amended to read as follows:

4137 “(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed  
4138 concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and  
4139 clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser  
4140 shall not be required to pay such prior taxes and liabilities to receive the tax deed.”.

4141 **SUBTITLE K. TAX REVISION COMMISSION IMPLEMENTATION**

4142 Sec. 7101. Short title.

4143 This subtitle may be cited as the “Tax Revision Implementation Amendment Act of  
4144 2016”.

4145 Sec. 7102. Section 47-181(b) of the District of Columbia Official Code is amended as  
4146 follows:

4147 (a) The existing text is designated as paragraph (1).

4148 (b) A new paragraph (2) is added to read as follows:

4149 “(2) If local Fiscal Year 2017 recurring annual revenues included in the quarterly  
4150 revenue estimate issued in September 2016 exceed the annual revenue estimate incorporated in  
4151 the approved budget and financial plan for Fiscal Year 2017, the additional revenue shall be used  
4152 to continue implementation of the TRC Act according to the priority set forth in subsection (c) of  
4153 this section for taxable years beginning or deaths occurring, as applicable, after December 31,  
4154 2017; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the  
4155 TRC Act with the September 2016 estimate.”.

4156 **SUBTITLE L. LIHTC PILOT PROGRAM AMENDMENT**

4157 Sec. 7111. Short title.

4158 This subtitle may be cited as the “LIHTC Pilot Program Initiation Amendment Act of  
4159 2016”.

4160 Sec. 7112. Section 47-4802(a)(2) of the District of Columbia Official Code is amended  
4161 by striking the phrase “tax year 2016” and inserting the phrase “tax year 2017” in its place.

4162 **SUBTITLE M. FISCAL STABILIZATION RESERVE AMENDMENT**

4163 Sec. 7121. Short title.

4164 This subtitle may be cited as the “Fiscal Stabilization Reserve Amendment Act”.

4165 Sec. 7122. Section 47-392.02(j-1) of the District of Columbia Official Code is amended  
4166 as follows:

4167 (a) Paragraph (2) is amended as follows:

4168 (1) Subparagraph (A) is amended by striking the phrase “act; and” and inserting  
4169 the word “act;” in its place.

4170 (2) Subparagraph (B) is amended by striking the period at the end and inserting  
4171 the phrase “; and” in its place.

4172 (3) A new subparagraph (C) is added to read as follows:

4173 “(C) Funding for the appropriations advance to District of Columbia  
4174 Public Schools and District of Columbia Public Charter Schools as authorized by the annual  
4175 budget and financial plan; provided, that any amounts used must be replenished immediately  
4176 upon the approval of the District’s annual budget for that year.”.

4177 (b) A new paragraph (2A) is added to read as follows:

4178 “(2A) The Fiscal Stabilization Reserve Account may be used by the Chief  
4179 Financial Officer to cover cash flow needs; provided, that any amounts used must be replenished  
4180 to the Fiscal Stabilization Reserve Account in the same fiscal year.”

4181 **SUBTITLE N. SPECIAL BUDGET PROVISION REFORM**

4182 Sec. 7131. Short title.

4183 This subtitle may be cited as the “Special Budget Provision Reform Act of 2016”.

4184 Sec. 7132. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as  
4185 follows:

4186 (a) The table of contents is amended by striking the section designations “47-368.01.  
4187 Transfer of dedicated funds to the General Fund.”, “47-368.02. Increase in funds and fees and  
4188 charges.”, and “47-368.03. Reduction in rates for certain excise taxes.”.

4189 (b) Section 47-368.01 is repealed.

4190 (c) Section 47-368.02 is repealed.

4191 (d) Section 47-368.03 is repealed.

4192           **SUBTITLE O. VAULT TAX EXPANSION**

4193           Sec. 7141. Short title.

4194           This subtitle may be cited as the “Vault Tax Expansion Amendment Act of 2016”.

4195           Sec. 7142. Section 305(d) of the District of Columbia Public Space Rental Act, approved  
4196           October 17, 1968 (82 Stat. 1159; D.C. Official Code § 10-1103.04(d)), is amended by adding a  
4197           new paragraph (4) to read as follows:

4198                         “(4) Any vault serving, in whole or in part, real property located at Square 287,  
4199           Lot 812 shall be exempt from vault rent.”.

4200           **SUBTITLE P. WALKER JONES REAL PROPERTY TAX ABATEMENT**

4201           Sec. 7151. Short title.

4202           This subtitle may be cited as the “Walker Jones/Northwest One Unity Health Center Tax  
4203           Abatement Amendment Act of 2016”.

4204           Sec. 7152. Section 47-4619(b) of the District of Columbia Official Code is amended by  
4205           striking the phrase “October 1, 2009 to September 30, 2013” and inserting the phrase “October 1,  
4206           2016, to September 30, 2021” in its place.

4207           **SUBTITLE Q. JUBILEE ONTARIO APARTMENTS REAL PROPERTY TAX**  
4208           **ABATEMENT**

4209           Sec. 7161. Short title.

4210           This subtitle may be cited as the “Jubilee Ontario Apartments Real Property Tax  
4211           Abatement Amendment Act of 2016”.

4212           Sec. 7162. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as  
4213           follows:

4214 (a) The table of contents is amended by adding a new section designation to read as

4215 follows:

4216 “47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.”.

4217 (b) A new section 47-1098 is added to read as follows:

4218 “§47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.

4219 “The portion of Lot 805 in Square 2565, located at 2525 Ontario Road, N.W.

4220 (“Property”) that is used for nonresidential purposes, shall be exempt from real property taxation

4221 so long as the residential portion of the Property continues to be exempt from real property

4222 taxation pursuant to § 47-1005.02.”.

4223 Sec. 7163. The Council of the District of Columbia orders that all real property and deed

4224 recordation taxes, interest, penalties, fees, and other related charges assessed against the real

4225 property located at 2525 Ontario Road, N.W., described as Lot 805, Square 2565 for the period

4226 beginning March 27, 2015 through November 31, 2016 shall be forgiven and that any payments

4227 made shall be refunded to the person who made the payments.

4228 **TITLE VIII. CAPITAL BUDGET**

4229 **SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION**

4230 **APPROVAL**

4231 Sec. 8001. Short title.

4232 This subtitle may be cited as the "Fiscal Year 2017 Capital Project Reallocation Approval

4233 Act of 2016".

4234 Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of

4235 Columbia Official Code, the Council approves the Mayor's request to reallocate \$180,809.546 in

4236 general obligation bond proceeds from District capital projects listed in Table A to the District  
4237 capital projects, in the amounts specified, listed in Table B.

4238 (b) The current allocations were made pursuant to the Fiscal Year 2010 Income Tax  
4239 Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of  
4240 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCR 9265); the Fiscal Year 2012  
4241 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4242 of 2011, effective December 6, 2011 (D.C. Res. 19-315; 58 DCR 10556), the Fiscal Year 2013  
4243 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4244 of 2012, effective October 16, 2012 (D.C. Res.19-635; 59 DCR 12818), the Fiscal Year 2014  
4245 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013,  
4246 effective November 5, 2013 (D.C. Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015  
4247 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution  
4248 of 2014, effective November 28, 2015 (D.C. Res. 20-687; 61 DCR 12738).

Committee of the Whole  
DRAFT print – Bill 21-669  
5/16/2016

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2010A	140,465
Department of General Services	BC1	DGS	Facility Condition Assessment	2012C I.T.	113,644
Department of Parks and Recreation	BSM	DGS	Benning Stoddert Modernization	2012C I.T.	3,124,785
Department of Parks and Recreation	QH7	DPR	Park Improvements - Project Management	2012C I.T.	393,520
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2012C I.T.	529,131
Department of Parks and Recreation	QN4	DGS	Ward 2 Public Park Rehabilitation	2012C I.T.	334,244
District Department of Transportation	ED1	DDOT	Rhode Island Avenue NE Small Area Plan	2012C I.T.	599,509
District Department of Transportation	EDS	DDOT	Great Streets Initiative	2012C I.T.	292,359
District Department of Transportation	STC	DDOT	Streetcars	2012C I.T.	43,409
District of Columbia Public Schools	MO3	DGS	Moten ES Modernization	2012C I.T.	1,565,607
District of Columbia Public Schools	ND4	DGS	Deal JHS Modernization/Renovation	2012C I.T.	11,664
District of Columbia Public Schools	NJ8	DGS	McKinley Modernization	2012C I.T.	11,442
District of Columbia Public Schools	PE3	DGS	Drew ES Modernization/Renovation	2012C I.T.	39,641
Fire and Emergency Management Services	LB7	FEMS	Engine Company 16 Renovation	2012C I.T.	2,268,528
Metropolitan Police Department	ECS	MPD	Automation Of Report Generation & Purchase	2012C I.T.	300,000
Office of the Chief Technology Officer	N60	OCTO	Transportation Infrastructure Modernization	2012C I.T.	481,728
Department of Behavioral Health	XA6	OCTO	St. Elizabeths Info Tech System	2013A G.O.	81,575
Department of Behavioral Health	XA8	DBH	Integrated Care Applications Mgmt	2013A G.O.	145,551
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2013A G.O.	508,089
Department of Healthcare Finance	MPM	DHCF	Medicaid Payment Management System	2013A G.O.	1,313,068
Department of Parks and Recreation	QE5	DGS	ADA Compliance	2013A G.O.	75,757
Department of Parks and Recreation	QJ8	DGS	Friendship Park	2013A G.O.	351,837
Department of Public Works	FS1	DPW	Upgrade To DPW Fueling Sites	2013A G.O.	76,846
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2013A G.O.	1,546,808
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2013A G.O.	2,354,064
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2013A G.O.	1,678,669
District Department of Transportation	ED1	DDOT	Georgetown Streetscape Improvements	2013A G.O.	500,000
District Department of Transportation	FLD	DDOT	Prevention Of Flooding In Bloomingdale/Ledroit Pk	2013A G.O.	39,030
District Department of Transportation	PM0	DDOT	Planning, Management & Compliance	2013A G.O.	148,484
District of Columbia Public Schools	PK3	DGS	Martin Luther King ES Modernization	2013A G.O.	538,150
Office of the Chief Technology Officer	EQ1	OCTO	DC Cable Net	2013A G.O.	83,199
Office of the Chief Technology Officer	N60	OCTO	Transportation Infrastructure Modernization	2013A G.O.	99,732
D.C. Public Library	WOD	DCPL	Woodbridge Library	2013A GO	791,863
Office of the Secretary	AB1	DGS	Archives	2013A GO	784,215
Department of General Services	BC1	DGS	Facility Condition Assessment	2014 A/B GO	25,054
D.C. Public Library	WOD	DCPL	Woodbridge Library	2014C G.O.	2,300,000
Department of Corrections	CEV	DOC	DOC Elevator Refurbishment	2014C G.O.	1,566,292
Department of Corrections	CRF	DOC	Roof Refurbishment At DOC Facilities	2014C G.O.	1,500,000
Department of General Services	BC1	DGS	Facility Condition Assessment	2014C G.O.	950,000
Department of Parks and Recreation	QS5	DGS	Barry Farm Recreation Center	2014C G.O.	3,927,608
Deputy Mayor for Planning and Economic Development	EBO	DMPED	New Communities	2014C G.O.	9,000,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	2014C G.O.	2,500,000
District Department of Transportation	6EQ	DDOT	Equipment Acquisition - DDOT	2014C G.O.	3,526,564
District Department of Transportation	BRI	DDOT	Pedestrian Bridge - Parkside	2014C G.O.	8,000,000
District Department of Transportation	FLD	DDOT	Prevention of Flooding In Bloomingdale/Ledroit Pk	2014C G.O.	1,469,644
Office of the Secretary	AB1	DGS	Archives	2014C G.O.	2,500,000
Office of the Chief Financial Officer	BF2	OCFO	CFOSolve	2015A G.O.	429,148
D.C. Public Library	CAV	DCPL	Capitol View Library	Pending	4,500,000
D.C. Public Library	CPL	DCPL	Cleveland Park Library	Pending	4,125,000
D.C. Public Library	PAL	DCPL	Paisades Library	Pending	5,700,000
District Department of Employment Services	UIM	DOES	Unemployment Insurance Modernization Project	Pending	2,500,000
Deputy Mayor for Planning and Economic Development	STH	DMPED	Strand Theatre	Pending	1,000,000
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	Pending	2,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 22 Firehouse Replacement	Pending	3,000,000
Fire and Emergency Management Services	LC4	DGS	Engine 27 Major Renovation	Pending	2,000,000
Department of Corrections	CEV	DGS	DOC Elevator Refurbishment	Pending	33,708
District of Columbia Public Schools	JOH	DGS	Johnson MS Renovation/Modernization	Pending	2,886,000
District of Columbia Public Schools	NX8	DGS	Coolidge HS Modernization/Renovation	Pending	3,000,000
District of Columbia Public Schools	SG3	DGS	Maintenance Improvements	Pending	7,738,513
State Superintendent of Education	SIS	OSSE	Single State-Wide Student Information System	Pending	1,800,000
Special Education Transportation	BU4	SET	Bus Facility Upgrades	Pending	2,740,000
Special Education Transportation	BU5	SET	DOT GPS System	Pending	1,000,000
Department of Parks and Recreation	FTD	DGS	Fort Davis Recreation Center	Pending	2,000,000
Department of Parks and Recreation	IVY	DGS	Ivy City Community Center	Pending	1,925,000
Department of Parks and Recreation	Q10	DGS	Fort Greble Recreation Center	Pending	1,000,000
Department of Parks and Recreation	Q11	DGS	Hilcrest Recreation Center	Pending	1,500,000
Department of Parks and Recreation	QF4	DGS	Benning Park Recreation Center Rehab	Pending	1,400,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Healthcare Finance	MPM	DHCF	MMIS System Upgrade	Pending	2,300,000
Department of Healthcare Finance	HI1	DHCF	District Operated Health Information System	Pending	3,145,040
District Department of Transportation	AW0	DDOT	S Capitol St/Frederick Douglass Bridge	Pending	40,000,000
District Department of Transportation	CDT	DDOT	Railroad Bridges	Pending	10,340
District Department of Transportation	PLU	DDOT	Power Line Undergrounding	Pending	4,000,000
District Department of Transportation	TRF	DDOT	Traffic Operations Center	Pending	1,500,000
Office of the Chief Technology Officer	N90	OCTO	DC Government New Data Center Build-out	Pending	3,000,000
Office of the Chief Technology Officer	N91	OCTO	DC Government Citywide IT Security Program	Pending	1,500,000
Office of the Chief Technology Officer	N92	OCTO	Citywide Disk Based Backup Infrastructure	Pending	445,022
<b>TOTAL</b>					<b>\$180,809,546</b>

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	BRK	DGS	Brookland MS Modernization	N/A	8,200,000
District of Columbia Public Schools	GM1	DGS	Major Repairs/Maintenance	N/A	6,100,000
District of Columbia Public Schools	GM3	DGS	High School Labor - Program Management	N/A	5,000,000
District of Columbia Public Schools	NA6	DGS	Ballou SHS	N/A	20,100,000
District of Columbia Public Schools	NR9	DGS	Roosevelt HS Modernization	N/A	15,500,000
State Superintendent of Education	SFF	OSSE	Evans Campus	N/A	2,000,000
Deputy Mayor for Economic Development	AMS	DMPED	McMillan Site Redevelopment	N/A	1,467,000
WMATA	SA5	DDOT	WMATA CIP Contribution	N/A	693,923
Fire and Emergency Management Services	LF2	DGS	FEMS Scheduled Capital Improvements	Pending	2,275,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	Pending	14,000,000
Department of Parks and Recreation	QE2	DGS	Ridge Road Recreation Center	Pending	9,730,000
Department of Parks and Recreation	QN7	DPR	Park Improvements	Pending	19,000,000
Department of Human Services	CMS	DHS	Case Management System - GO Bond	Pending	14,000,000
District Department of Transportation	CEL	DDOT	Alley Rehab	Pending	3,000,000
WMATA	SA3	DDOT	WMATA Fund - PRIAA	Pending	20,000,000
WMATA	SA5	DDOT	WMATA CIP Contribution	Pending	39,743,623
<b>TOTAL</b>					<b>\$180,809,546</b>

4250  
4251

**SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILITATION**

4252 **AMENDMENT**

4254 Sec. 8011. Short title

4255 This subtitle may be cited as the “Capital Project Review and Reconciliation Amendment  
4256 Act of 2016”.

4257 Sec. 8012. The Capital Project Support Fund Establishment Act of 2009, effective March  
4258 3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq.*), is amended by adding a new  
4259 section 1267 to read as follows:

4260 “Sec. 1267. Any surplus capital budget, notwithstanding budget backed by Master Lease  
4261 financing (fund detail 0302), that the Director of Capital Improvements identifies following the  
4262 30-day reconciliation period shall be transferred to the Alley Rehabilitation Project and be made  
4263 available for use, or reprogramming to authorized capital projects. Any funds backed by Master  
4264 Lease budget shall be transferred to the WMATA Fund Project (SA311C) and be made available  
4265 for reprogramming to authorized capital projects.”.

4266 **SUBTITLE C. CAPITAL PROJECT RESCISSIONS**

4267 Sec. 8021. Short title.

4268 This subtitle may be cited as the “Fiscal Year 2017 Capital Project Rescission Approval  
4269 Act of 2016”.

4270 Sec. 8022. In Fiscal Year 2016, the Chief Financial Officer shall rescind capital project

4271 allotments as set forth in the following tabular array:

Owner Agency	Project No	Project Title	Impl Agency	Fund Detail	Existing Allotment Adjustments
AM0 - DEPARTMENT OF GENERAL SERVICES	N1401B	GOVERNMENT CENTERS	AM0	0300	(7,239.86)
	PL102C	ELEVATOR POOL	AM0	0300	(56,361.94)
	PL105C	ARCHIVES RECORDER OF DEEDS	AM0	0300	(356,004.03)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	AM0	0300	(89,931.23)
AT0 - OFFICE OF THE CHIEF FINANCIAL OFFICER	BF301C	SOAR MODERNIZATION	AT0	0300	(6,000,000.00)
BD0 - OFFICE OF PLANNING	PLN38C	SUSTAINABLE DC - AGENCY COMPETITION FUND	BD0	0300	(2,705,868.79)
				0301	(50,000.00)
CE0 - DC PUBLIC LIBRARY	BEN37C	NEW BENNING BRANCH LIBRARY	CE0	0300	(2,452.89)
CR0 - DEPT. OF CONSUMER AND REGULATORY AFFAIRS	EB301C	VACANT PROPERTY INSPECTION AND ABATEMENT	CR0	0300	(74,535.00)
				0301	(1,169.28)
				9000	(12,590.35)
DB0 - DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT	04002C	PROPERTY ACQUISITION & DISPOSITION	DB0	0301	(221,275.70)
	ANC02C	HOUSING RESOURCE CENTER DATABASE	ELC	0302	(159,619.55)
EB0 - DEPUTY MAYOR FOR PLANNING AND ECON DEV	ASC13C	SKYLAND DEVELOPMENT	EB0	0300	(1,235,221.00)
	EB008C	NEW COMMUNITIES	EB0	0300	(16,100,000.00)
FA0 - METROPOLITAN POLICE DEPARTMENT	PEQ22C	SPECIALIZED VEHICLES - MPD	FA0	0300	(230,334.00)
FB0 - FIRE AND EMERGENCY MEDICAL SERVICES	LB737C	ENGINE 5 COMPLETE RENOVATION	AM0	0300	(3,790.81)
	LE337C	ENGINE 16 RENOVATION	AM0	0300	(3,018.88)
HA0 - DEPARTMENT OF PARKS AND RECREATION	DPR08C	MASTER LEASE FOR VEHICLE PURCHASE	ELC	0302	(22,078.39)
	FTLPKC	FORT LINCOLN PARK	AM0	0300	(3,200,000.00)
				0301	(750,000.00)
	QB338C	ROPER / DEANWOOD RECREATION CENTER	AM0	0300	(54,775.22)
	QD137C	CAMP RIVERVIEW REHABILITATION	AM0	0300	(0.09)
	QH750C	PARK IMPROVEMENTS - PROJECT MANAGEMENT	HA0	0300	(200,000.00)
	QI438C	JUSTICE PARK	AM0	0300	(215.36)
	QI937C	ROSEDALE RECREATION CENTER	AM0	0300	(1,307.28)
	QM801C	BENNING TERRACE	AM0	0300	(0.20)
	QN701C	ATHLETIC FIELD IMPROVEMENTS	AM0	0300	(62.00)
	QG638C	KENILWORTH PARKSIDE RECREATION CENTER	AM0	0300	(1,265.13)

	RG001C	GENERAL IMPROVEMENTS - DPR	AM0	0300	(200,000.00)
	RG006C	SWIMMING POOL REPLACEMENT	AM0	0300	(670,713.69)
				0301	(312,300.00)
	RG008C	NOYES FIELD	AM0	0300	(18,700.00)
HT0 - DEPARTMENT OF HEALTH CARE FINANCE	UMC01C	EAST END MEDICAL CENTER	AM0	0300	(3,269,118.89)
JA0 - DEPARTMENT OF HUMAN SERVICES	JAPMSC	PRINTING AND MAILING PROCESSING SYSTEM	ELC	0302	(433,348.00)
	THK16C	TEMPORARY AND PERMANENT SUPPORTIVE HOUSI	AM0	0300	(3,000,000.00)
JZ0 - DEPARTMENT OF YOUTH REHABILITATION SVCS	SH632C	REPLACEMENT OF YES! TO FAMCARE	JZ0	0301	(14,283.37)
KA0 - DEPARTMENT OF TRANSPORTATION	6EQ02C	EQUIPMENT ACQUISITION - DDOT	KA0	0302	(2,501,614.72)
	AD306C	PEDESTRIAN & BICYCLE SAFETY ENHANCEMENTS	KA0	0330	(2,000,000.00)
	AD310C	SHERMAN STREET	KA0	0300	(3,596.14)
	BR005C	H STREET BRIDGE	KA0	0300	(5,000,000.00)
	CA305C	LOCAL ST REHAB SCOPE & DEV	KA0	0330	(226.66)
	CE307C	BRIDGE MAINTENANCE	KA0	0330	(1,500,000.00)
	CK301C	ADVANCED DESIGN & PROJECT DEVT	KA0	0330	(176.84)
	CKT59A	NY AVE SOUTH DAKOTA-DC LINE NH-1108(19)	KA0	0300	(52,927.14)
	ED302C	LOCAL STREETS PARKING STUDIES	KA0	0330	(227,753.29)
	ED303C	LOCAL STREETS TRAFFIC STUDIES	KA0	0330	(130,671.02)
	EDL06C	MINNESOTA AVE. STREETScape IMPROVEMENTS	KA0	0300	(16,667.00)
	EDL07C	HOWARD THEATER STREETScape IMPROVEMENTS	KA0	0300	(4,540.80)
	EDS01C	GREAT STREETS	KA0	0333	(126,721.78)
	EDS02C	GREAT STREETS	KA0	0300	(283,404.34)
				0333	(264,317.78)
	EDS03C	GREAT STREETS	KA0	0333	(14.68)
	EDS04C	GREAT STREETS	KA0	0333	(85,240.90)
	FLD01C	PREVENTION OF FLOODING IN BLOOMINGDALE/L	KA0	0300	(5,100,000.00)
KG0 - DEPARTMENT OF ENERGY AND ENVIRONMENT	SUS04C	SUSTAINABLE DC FUND-2	KG0	0300	(104,291.56)
TO0 - OFFICE OF THE CHIEF TECHNOLOGY OFFICER	N9001C	DC GOVERNMENT NEW DATA CENTER BUILD-OUT	TO0	0300	(9,500,000.00)
<b>Grand Total</b>					<b>(66,359,745.58)</b>

4272

4273 **TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND**

4274 **AMENDMENTS AND TRANSFERS**

4275 **SUBTITLE A. DESIGNATED FUND TRANSFERS**

4276 Sec. 9001. Short title.

4277 This subtitle may be cited as the “Designated Fund Transfer Act of 2016”.

4278           Sec. 9002. Notwithstanding any provision of law limiting the use of funds in the accounts  
4279 listed in the following chart, the Chief Financial Officer shall transfer the identified amounts  
4280 from certified fund balances in those accounts to the General Fund of the District of Columbia as  
4281 described below:

4282                     (1) \$38.4 million shall be made available in Fiscal Year 2017;

4283                     (2) \$1.4 million shall be made available in Fiscal Year 2020;

4284                     (3) \$7.2 million shall be allocated to Pay-as-you-go capital in Fiscal Year 2017 in  
4285 accordance with the budget and financial plan:

4286

<b>DESIGNATED FUND BALANCE - OVERVIEW</b>			
Agency Code	Fund No.	Fund Name	Amount
<b>Budget Support Act:</b>			
AEO		Pay for Success Contract Fund	\$2,699,287
		<b>Total</b>	<b>\$2,699,287</b>
<b>Budget Reserves:</b>			
ENO		Micro Loan/Small Business Capital Access Fund	\$228,362
ENO		Streetscape Loan Relief Fund	\$1,584,297
		<b>Total</b>	<b>\$1,812,659</b>
<b>Dedicated Taxes:</b>			
HT0	0111	Healthy DC Fund	\$6,908,762
LQ0	0110	Dedicated Taxes	\$881,555
		<b>Total</b>	<b>\$7,790,317</b>
<b>Purpose Restrictions and Other Special Purposes:</b>			
AT0	0606	Recorder of Deeds Surcharge	\$3,000,000
AT0	6115	OFT Central Collection Unit Fund	\$1,600,000
AT0	0602	Payroll Service Fees	\$11,198
BE0	0639	Agreement with Independent Agencies	\$34,682
CI0	0600	Special Purpose Revenue	\$15,332
CRO	6030	Green Building Fund	\$1,689,850

CR0	6013	Basic Business License Fund	\$268,332
CR0	6020	Board of Engineers Fund	\$697,203
CR0	6040	Corporate Recordation Fund	\$1,182,879
CR0	0645	Vending Regulations Fund	\$1,284,622
CR0	6010	OPLA - Special Account	\$26,999
CR0	6006	Nuisance Abatement	\$44,862
CR0	6009	Real Estate Appraisal Fee	\$30,564
CT0	0600	Cable Franchise Fees	\$7,113,314
EBO	0630	Fund from NEDCO and EDFC	\$562,550
EBO	0419	H St Retail Priority Area Grant Fund	\$3,272,213
HCO	0632	Pharmacy Protection	\$2,100,000
HCO	0644	Spay and Neutering Fund	\$7,215
HCO	0661	ICF/MR Fees and Fines	\$154,086
HT0	0631	Medicaid Collections - 3rd Party Liability	\$314,173
HT0	0605	SHPDA Fees	\$200,000
HT0	0643	Board of Medicine	\$600,000
JAO	0603	SSI Payback	\$1,000,000
KA0	6901	DDOT Enterprise Fund - Non Tax Revenues	\$3,000,000
SRO	2911	Foreclosure Mediation Fund (Temporary)	\$340,500
TO0	0602	DC Net Service Support	\$4,800,000
		<b>Total</b>	<b>\$33,350,574</b>
<b>TOTAL</b>			<b>\$45,652,837</b>

4287

4288           Sec. 9003. The Chief Financial Officer shall transfer the entire fund balance of the GD0 –  
4289 Credit Enhancement, Geneva Funds account to fund 0610, the Charter School Credit  
4290 Enhancement Fund, within the Office of the State Superintendent of Education.

4291           Sec. 9004. Applicability.

4292           This subtitle shall apply as of the effective date of the Fiscal Year 2017 Budget Support  
4293 Emergency Act of 2016 (Enrolled version of Bill 21-\_\_\_\_).

4294           **SUBTITLE B. FIXED COST COMMODITY RESERVE AMENDMENT**

4295           Sec. 9010. Short title.

4296 This subtitle may be cited as the “Fixed Cost Commodity Reserve Amendment Act of  
4297 2016”.

4298 Sec. 9011. Section 47-368.04 of the District of Columbia Official Code is amended as  
4299 follows:

4300 (a) Subsection (b) is amended by striking the phrase “and rent” and inserting the phrase  
4301 “and rent; provided, that the amount in the Fund shall not exceed \$5 million in any fiscal year” in  
4302 its place.

4303 (b) A new subsection (c) is added to read as follows:

4304 “(c) Amounts in the Fund shall be used only for the purposes in subsection (b) and shall  
4305 not be available for other purposes or be transferred to other funds or accounts.”.

4306 **TITLE X. APPLICABILTY; FISCAL IMPACT; EFFECTIVE DATE**

4307 Sec. 10001. Applicability.

4308 Except as otherwise provided, this act shall apply as of October 1, 2016.

4309 Sec. 10002. Fiscal impact statement.

4310 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
4311 impact statement required by section 4a) of the General Legislative Procedures Act of 1975,  
4312 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4313 Sec. 10003. Effective date.

4314 This act shall take effect following approval by the Mayor (or in the event of veto by the  
4315 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
4316 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973  
4317 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia  
4318 Register.