

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers  
**FROM:** Chairman Phil Mendelson  
Committee of the Whole  
**DATE:** May 14, 2019  
**SUBJECT:** Report on Bill 23-209, the “Fiscal Year 2020 Budget Support Act of 2019”

The Committee of the Whole, to which Bill 23-209 was referred, reports favorably thereon with amendments and recommends approval by the Council.

CONTENTS

I. BACKGROUND AND NEED .....	1
II. LEGISLATIVE CHRONOLOGY .....	2
III. POSITION OF THE EXECUTIVE .....	2
IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS .....	3
V. LIST OF WITNESSES .....	3
VI. IMPACT ON EXISTING LAW .....	4
VII. FISCAL IMPACT .....	4
VIII. SUBTITLE-BY-SUBTITLE ANALYSIS .....	5
IX. COMMITTEE ACTION .....	21
X. ATTACHMENTS .....	21

**I. BACKGROUND AND NEED**

The purpose of Bill 23-209, the Fiscal Year 2020 Budget Support Act of 2019 (“FY 2020 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2020 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 23-209 is available in the various committee budget reports. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations are an important part of the performance and budget review process by the Council. The committee print attached to this report contains FY 2020 BSA subtitles based on recommendations and feedback from the various Council committees, as refined by the Committee of the Whole. 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 15, 2019	Notice of public hearings on the proposed Fiscal Year 2020 Budget and Financial Plan is published in the <i>District of Columbia Register</i> (updates to the schedule of budget oversight hearings published March 29 and April 5)
March 20, 2019	Bill 23-209, the “Fiscal Year 2020 Budget Support Act of 2019” is introduced by Chairman Mendelson at the request of the Mayor
March 22, 2019	Committee of the Whole holds a public briefing on the Mayor’s Fiscal Year 2020 Proposed Budget and Financial Plan, including a presentation by Mayor Bowser
March 29, 2019	Notice of Intent to Act on Bill 23-209 is published in the <i>District of Columbia Register</i>
April 2, 2019	Bill 23-209 is “read” at the April 2, 2019 Regular Legislative Meeting and referred to the Committee of the Whole with comments on specific subtitles from the Council’s standing committees
March 25 – April 25, 2019	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2020 Budget Support Act of 2019 that were referred to each for comments
April 26, 2019	Committee of the Whole holds a public hearing on Bill 23-207, Bill 23-208, and Bill 23-209
April 30 – May 2, 2019	Committees mark up and approve their budget recommendations for Fiscal Year 2020
May 14, 2019	The Committee of the Whole marks up Bill 23-209

## III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 23-209 on behalf of the Mayor. On April 24, 2019, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 23-209 and related budget documents. The errata letter is included as an attachment to this report. At the April 26, 2019 hearing on Bill 23-209, City Administrator Rashad Young presented testimony on behalf of the Mayor. His statement is included as part of the hearing record. Other Executive Branch testimony was presented to the various Council committees and is also included in the hearing record.

#### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee did not receive testimony or comments from any Advisory Neighborhood Commissions on Bill 23-209; however, ANC 2B, ANC 4C, and ANC 7C submitted resolutions on specific funding matters related to Bill 23-208, the Fiscal Year 2020 Local Budget Act of 2019, and are included in the hearing record for that measure.

#### V. LIST OF WITNESSES<sup>1</sup>

The Committee of the Whole held a public hearing on Bill 23-209 and other budget-related legislation on April 26, 2019.<sup>2</sup> The witnesses were:

- |     |                           |   |
|-----|---------------------------|---|
| 1.  | Damon King                | Senior Policy Advocate, Legal Aid Society of D.C.             |
| 2.  | Caroline Ovrawah          | SPACEs In Action  |
| 3.  | Chauntesha Chaung         | SPACEs In Action  |
| 4.  | Alisa Jackson-Gray        | SPACEs In Action  |
| 5.  | Lisa Mallory              | CEO, D.C. Building Industry Association                       |
| 6.  | Diana Mayhew              | CEO, National Cherry Blossom Festival                         |
| 7.  | Amber Harding             | Attorney, Washington Legal Clinic for the Homeless            |
| 8.  | Erika Wadlington          | D.C. Chamber of Commerce                                      |
| 9.  | Geraldine Tally Hobby     | DC Injured Workers Committee, Civil Service Status Fed/DC     |
| 10. | Jesse Lovell              | Ward 3 Democrats  |
| 11. | Keshini Ladduwahetti      | DC for Democracy  |
| 12. | Ed Lazere                 | Executive Director, D.C. Fiscal Policy Institute              |
| 13. | Farida Abas Dorsey        | Platform of Hope/SPACEs In Action                             |
| 14. | Donna Miller              | SPACEs In Action  |
| 15. | Kourtney Mills            | SPACEs In Action  |
| 16. | Karma Cottman             | Executive Director, D.C. Coalition Against Violence           |
| 17. | Kate Coventry             | Senior Policy Analyst, D.C. Fiscal Policy Institute           |
| 18. | Kathy E. Hollinger        | President/CEO, Restaurant Association Metropolitan Washington |
| 19. | Gore Sihka                | Miriam's Kitchen  |
| 20. | Robert Warren             | Miriam's Kitchen  |
| 21. | Andy Wassenich            | Miriam's Kitchen  |
| 22. | Daniel Essrow             | Public Witness  |
| 23. | Travis Ballie             | Public Witness  |
| 24. | Devon Haynes              | Birth to Three D.C. Coalition                                 |
| 25. | Jennifer Mampara          | Director of Education, FRESHFARM FoodPrints                   |
| 26. | Paty Capetillo            | Public Witness  |
| 27. | Shayna Cook               | Senior Manager, Bainum Family Foundation                      |
| 28. | Greg Myer for Jackie Duke | Senior Vice President, Brookfield Properties                  |

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<sup>1</sup> Note: Written testimony and comments are included in the hearing record for Bill 23-208.

<sup>2</sup> All of the Council's committees held hearings between March 25 and April 25, 2019, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the FY 2020 BSA.

29.	Kirsten Williams	Vice President of Government Affairs, Apartment and Office Building Association
30.	Brad Fennell	WC Smith
31.	Doug Firstenberg	Stonebridge
32.	Bill Alsup	PGP Development
33.	John T. Farrell	Cushman & Wakefield
34.	Steve Horne	Elm Street Development
35.	Mark Chalfant	Executive Director, Washington Improv Theater
36.	Aujane Walker	Student, Anacostia High School
37.	Inesha Andrews	Student, Anacostia High School
38.	Erin Palmer	Commissioner, ANC 4B02
39.	Kourtney Mills	SPACEs in Action
40.	Joy Ford Austin	Executive Director, Humanities Council of Washington, DC
41.	Joe Andronaco	Access Green
42.	Anton Mack	Access Green
43.	Antwon Johnson	Access Green
44.	Eric Samudfor	Access Green
45.	Maya Martin Cadogan	PAVE
46.	Yesim Taylor	Executive Director, DC Policy Center
47.	Jane Hayashi-Kim	Public Witness
48.	Mark LeVota	Executive Director, District of Columbia Behavioral Health Association
49.	Katherine Zambon	Public Witness
50.	Valerie Baron	Public Witness
51.	Deidre Brown	D.C. Association of REALTORS
52.	Kaitalin Peter	D.C. Association of REALTORS
53.	Kunta Bedney	D.C. Association of REALTORS
54.	Rashad Young	City Administrator, Office of the City Administrator

## VI. IMPACT ON EXISTING LAW

Bill 23-209 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 23-209 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the fiscal year 2020 budget. The Council's Budget Director has worked closely with the Office of the Chief Financial Officer to ensure that as a companion to the Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act (Bill 22-756) and the Fiscal Year 2019 Local Budget Act (Bill 22-754), this bill – Bill 23-209 – is fiscally balanced.<sup>3</sup>

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<sup>3</sup> The Chief Financial Officer will provide a fiscal impact statement to the Council before the second reading of the FY 2020 BSA.

## VIII. SUBTITLE-BY-SUBTITLE ANALYSIS<sup>4</sup>

Section 1 States the short title of Bill 23-209.

### TITLE I. GOVERNMENT DIRECTION AND SUPPORT

**Subtitle A. Captive Insurance Agency Fund Amendment Act of 2019:** Establishes a new fund, the Medical Captive Insurance Claims Reserve Fund, to retain appropriated local funds for the purpose of payment of claims and losses under medical liability insurance policies issued by the Captive Insurance Agency.

**Subtitle B. Advisory Neighborhood Commission Accountability Act of 2019:** Current law requires each Advisory Neighborhood Commission (ANC) to file reports quarterly. This subtitle establishes that an ANC that fails to timely file two or more consecutive quarterly reports shall forfeit additional allotments until the ANC has filed all missing reports.

**Subtitle C. Discretionary Funds Amendment Act of 2019:** Amends the Discretionary Funds Act of 1973 to include the Attorney General and the Chief Financial Officer in the list of District public officials authorized to use limited funds, subject to specific authorization in an appropriations act, for purposes related to their official capacity; and updates the titles of other office holders to reflect current language.

### TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

**Subtitle A. Negotiated Employee Affordable Home Purchase Fund Act of 2019:** Establishes a new Fund which will be administered by the Department of Housing and Community Development; and states that the purpose of the Fund is to provide home purchase down payment and closing cost assistance for District government employees as required by a collective bargaining agreement.

**Subtitle B. Tax Increment Financing Amendment Act of 2019:** Defines “refunding bonds” separate from TIF bonds, amends the Bryant Street Tax Increment Financing Act to allow the District to issue refunding bonds and to extend the authority to issue bonds from March 1, 2019 to March 1, 2020; amends the Union Market Tax Increment Financing Act to clarify that the authority to issue refunding bonds shall not be subject to the March 1, 2027 sunset clause; and amends the Rhode Island Avenue Tax Increment Financing Act to clarify authority related to authority to issue refunding bonds for the Rhode Island Avenue TIF Area and the sunset clause.

**Subtitle C. New Communities Bond Authorization Amendment Act of 2019:** Allows the Mayor to issue income tax secured revenue bonds for the New Communities Initiative (NCI Bonds) as part of the same issuance of income tax secured bonds for other Capital Projects. Current law requires NCI Bonds to be issued independently and separately from income tax

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<sup>4</sup> Due to the size and complexity of the committee print of Bill 23-209, 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.

secured bonds for other Capital Projects which leads to increased costs to the District. This subtitle is similar to emergency legislation (D.C. Act 22-529) and temporary legislation (D.C. Act 22-641) that the Council approved last November.

**Subtitle D. Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2019:** Grants the Office of Cable Television, Film, Music, and Entertainment the statutory authority to administer the Film, Music, and Entertainment Rebate Fund and to issue motion picture and television production permits; and requires a production company to provide its “direct District expenditure” when applying for a production rebate.

**Subtitle E. Chief Tenant Advocate Salary Amendment Act of 2019:** Allows the Mayor to set the salary of the Chief Tenant Advocate so he or she could be compensated at a rate more comparable to that of other agency directors. Currently, the Chief Tenant Advocate is compensated at the same level as a Grade 15 career service employee.

**Subtitle F. Streetscape Business Development Relief Fund Amendment Act of 2019:** Changes the name of the Streetscape Loan Relief Fund to the Streetscape Business Development Relief Fund; and allows retail businesses that operate inside or adjoining a District capital infrastructure project to be eligible for interest-free loans or grants from the Fund.

**Subtitle G. Commission on Fashion Arts and Events Approval Process Amendment Act of 2019:** Provides that nominations to the Commission made by the Mayor shall undergo a 45-day period of review by the Council and shall be deemed if no member introduces a resolution disapproving the nomination.

**Subtitle H. Retail Priority Area Amendment Act of 2019:** Authorizes the expansion of the 14th and U Street, N.W./Adams Morgan/Mt. Pleasant Retail Priority Area to allow additional businesses to be eligible to receive funding from the Great Streets Retail Small Business Grant program.

**Subtitle I. Department of Employment Services Grants Transparency Amendment Act of 2019:** Sets minimum timelines and advertising requirements for Department of Employment Services grants and increases transparency in application review and reporting processes.

**Subtitle J. Wage and Hour Education Grants Program Act of 2019:** Establishes a grant program within in the Department of Employment Services for the purpose of educating District-based workers about their rights under District employment law.

**Subtitle K. Tipped Wage Worker Fairness Clarification Amendment Act of 2019:** Establishes deadlines and clarifying the required content of materials and websites that will be created by the Department of Employment Services in order to the inform the public about the rights of tipped workers.

**Subtitle L. Short-Term Rental Zoning Analysis:** Prohibits the issuance of building permits to the District government until the Office of Planning has submitted its analysis of zoning

for short-term rental properties in residential areas. This report is necessary to allow the Zoning Commission to initiate a possible text amendment that would legalize home sharing in the District.

**Subtitle M. Office of Public-Private Partnerships Amendment Act of 2019:** Authorizes the transfer of funding and oversight of the Office of Public-Private Partnerships from the Office of the City Administrator to the Office of the Deputy Mayor for Planning and Economic Development.

**Subtitle N. Rental Housing Database and Registration Extension Amendment Act of 2019:** Amends the Rental Housing Act of 1985 to extend the due date for the Office of Tenant Advocate to complete and transfer the Rent Control Housing Database to September 30, 2020, and to reset the due date when housing providers are required to file online re-registration statements to within 90 days after the launching of the database by the Rental Accommodations Division.

**Subtitle O. East End and Opportunity Youth Careers Amendment Act of 2019:** Amends the Youth Employment Act of 1979 to increase wages for 14 and 15 year old participants in the Mayor Marion S. Barry Summer Youth Employment Program, and delineate parameters for the D.C. Infrastructure Academy and the Department of Employment Services' year-round youth program.

**Subtitle P. DC Central Kitchen Grant Extension Amendment Act of 2019:** Allows the Workforce Investment Council to continue to expend the grant to D.C. Central Kitchen, awarded in fiscal year 2019, through September 30, 2023.

**Subtitle Q. Walter Reed Development Omnibus Amendment Act of 2019:** In the FY 2019 budget the Council enhanced the Deputy Mayor for Planning and Economic Development's (DMPED) capital budget with \$20 million to pay for the District's capital eligible expenses associated with the construction of a new Children's National Medical Research and Innovation Center at Walter Reed. The proposed subtitle authorizes DMPED to utilize those funds to acquire real property located in the Walter Reed Site to support the new Children's National Medical Research and Innovation Center, provided, that the contract for the operating and maintenance of property acquired shall be subject to District Certified Business Enterprise requirements and First Source hiring requirements.

**Subtitle R. Diverse Washingtonian Statue Funding:** Provides up to \$250,000 for a commemorative work, recommended by the Commemorative Works Committee, that is approved by the Council and Mayor pursuant to the Commemorative Works Act, provided, that the commemorative work authorized would be a statue of a prominent female native Washingtonian.

**Subtitle S. HPTF Target Modification Amendment Act of 2019:** Amends the Housing Production Trust Fund Act of 1989 to change the statutory targets for the Housing Production Trust Funds such that fifty percent of funds shall be expended on households with extremely low incomes.

**Subtitle T. Safe at Home Amendment Act of 2019:** Adjusts the maximum grant cap from \$10,000 down to \$6,000 to reflect current program practices, adds additional modifications to the

list of examples; clarifies the qualifying age range for residents who are disabled, makes other conforming changes; and authorizes the Mayor to issue rules to implement the provisions of the program.

**Subtitle U. CAH Independence and Funding Restructuring Amendment Act of 2019:** Strengthens the independence of the Commission on the Arts and Humanities, strengthens requirements for commissioner qualifications, allows the Commission to appoint an Executive Director with the advice and consent of the Council, and creates a new grant funding structure with four programs: capital grants, grants for arts and humanities applicants, grants for National Capital Arts applicants, and grants dedicated to the humanities.

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

**Subtitle A. Criminal Code Reform Commission Amendment Act of 2019:** Moves the submission of the Commission's comprehensive criminal code reform recommendations to the Council and Mayor from September 30, 2019 to September 30, 2020; extends the Commission's sunset date from October 1, 2019 to October 1, 2020; and adds the Commission to the list of District agencies that are not subject to the authority of the Chief Procurement Officer.

**Subtitle B. Retired Police Officer Redeployment Program Amendment Act of 2019:** Extends the window from October 1, 2019 to October 1, 2020 for rehiring officers, who retired at a rank other than officer, at an expanded pay authority for detectives and sergeants; and allows rehired officers to be paid under that expanded authority for five years from the date they were rehired.

**Subtitle C. Automatic Renewal Protections Amendment Act of 2019:** Provides that a free gift or trial for a good or service that is sold to a consumer pursuant to a contract must provide a clear and conspicuous explanation of the price that will be charged after the free trial ends. For a contract that automatically renews at the end of a free trial, the subtitle requires a person to notify a consumer at least 15 days and not more than 30 days before the expiration of the free trial period.

**Subtitle D. Crime Victims Compensation Funeral and Burial Expenses Amendment Act of 2019:** Increases the compensation available for funeral and burial services from a District of Columbia Superior Court imposed cap maximum of \$6,000 to \$10,000; and amends the description of items included in reasonable funeral and burial expenses to include embalming, burial containers, cremation, and the chosen method of internment.

**Subtitle E. Office of Neighborhood Safety and Engagement Amendment Act of 2019:** Updates the name of one of the Office's programs; requires additional information in the annual report; and authorizes the use of funds to purchase food and non-alcoholic beverages for participants in programs and activities where the purchase is reasonably necessary to assist the Office in the effective achievement of a statutory goal, objective, or responsibility.

**Subtitle F. Returning Citizens Opportunity to Succeed Amendment Act of 2019:** Converts Fiscal Year 2019 pilot programs to permanent programs to provide birth certificate, driver's license, and special identification card fee waivers for residents released from the Federal



Bureau Prisons for one year after their release, or for residents living in a halfway house operated by the Bureau of Prisons.

**Subtitle G. Maternal Mortality Review Committee Establishment Amendment Act of 2019:** Requires the Chief Medical Examiner to convene an annual symposium to present the findings from the Maternal Mortality Review Committee's annual report; adds three additional positions to the Review Committee, including one person who has been directly impacted by a near maternal mortality, one anesthesiologist with experience in obstetrics, and one neonatologist with experience with high-risk pregnancies; and adds two seats to the Domestic Violence Fatality Review Board, including the Office of Victim Services and Justice Grants, and the federally-recognized state coalition for domestic violence.

**Subtitle H. Attorney General Support and Restitution Funds Amendment Act of 2019:** Raises the cap from \$5 million to \$10 million for the allowable balance in the Office of the Attorney General's Litigation Support Fund, which holds revenues from claims and settlements recovered by the agency on behalf of the District, except for Fiscal Year 2020, where the authorized maximum is \$11.6 million; allows up to \$4 million in the Fund to be used each fiscal year to support staff salaries; authorizes expenditures on non-personnel costs related to administering certain grants; and provides that up to \$3 million in the Fund may be used each fiscal year for crime reduction and violence interruption programming. The subtitle also establishes the Vulnerable Adult and Elderly Person Exploitation Restitution Fund within the Office of the Attorney General, to capture awards of restitution and costs to individuals made under a court order, judgment, or settlement in any action or investigation brought pursuant to section 207 of the Criminal Abuse, Neglect, and Financial Exploitation of Vulnerable Adults and the Elderly Act of 2000, and authorizes money in the Restitution Fund to be used for restitution to those harmed and to pay related costs and expenses.

**Subtitle I. Office of Police Complaints Independent Review Authority Amendment Act of 2019:** Directs the Police Complaints Board to conduct an independent review of the activities of the Metropolitan Police Department's Narcotics and Specialized Investigations Division and any of its subdivisions; requires a report to the Mayor and Council by September 30, 2021 summarizing the findings of the review, including specific information and recommendations; grants the Board's Executive Director access to certain information to facilitate the review; and sets parameters around that access.

**Subtitle J. Escheatment Fund Clarification Amendment Act of 2019:** Clarifies that real and personal property that escheats to the District shall be deposited into the Escheatment Fund, establishes the Fund; and directs money in the Fund to be spend on emergency assistance grants.

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

**Subtitle A. Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2019:** Establishes the per-student funding formula for the 2019 - 2020 school year, including the foundation level and weighting factors for per-student allocations; increases the foundation level from the proposed 2.2 percent increase to a 3.0 percent increase; updates the name of the Special Education Compliance Funding weight; and increases the At-Risk weighting

amount to meet the remaining Uniform Per Student Funding Formula (UPSFF) costs of the Student Fair Access to School Amendment Act of 2018<sup>5</sup> and the School Safety Omnibus Amendment Act of 2018.<sup>6</sup>

**Subtitle B. Non-Resident Student Delinquent Debt Recovery Amendment Act of 2019:** Requires funds collected and recovered by the Central Collection Unit arising out of non-resident student tuition delinquent debts transferred and referred to the Central Collection Unit by the Office of the State Superintendent of Education for collection, net of costs and fees, to be deposited into OSSE's Student Residency Verification Fund.

**Subtitle C. Office of Administrative Hearings Jurisdiction Amendment Act of 2019:** Provides the Office of Administrative Hearings with the authority to hear appeals of compliance actions the Office of the State Superintendent of Education takes against public charter schools or other organizations to which OSSE has issued grants.

**Subtitle D. Deputy Mayor for Education Limited Grant-Making Authority Amendment Act of 2019:** Provides the Deputy Mayor for Education with limited authority to issue a grant in Fiscal Year 2020 for a study of the UPSFF, as recommended by the by the February 1, 2019 report of the UPSFF Working Group.

**Subtitle E. Statewide Special Education Compliance Fund Act of 2019:** This establishes within OSSE a nonlapsing Fund to support state-level costs associated with ensuring compliance with federal and local special education laws and regulations.

**Subtitle F. Chancellor of the District of Columbia Public Schools Salary Conformity Amendment Act of 2019:** Amends the District of Columbia Government Comprehensive Merit Personnel Act to update the entry for the Chancellor of the District of Columbia Public Schools (DCPS) to reflect the name of the current chancellor and the year in which he began serving in that role.

**Subtitle G. Student Fair Access to School and Clarification Amendment Act of 2019:** Shifts implementation of the limit on use of out-of-school suspension for students in grades 6 through 8 from school year 2019-2020 to school year 2020-2021; assigns certain required supports for local education agencies to the Department of Behavioral Health, which will deliver those services through increased school-based behavioral health staff, as provided by the agency's Fiscal Year 2020 budget.

**Subtitle H. D.C. Public Library Partnership and Sponsorship Amendment Act of 2019:** Provides the D.C. Public Library (DCPL) with the authority to partner, endorse, co-sponsor, solicit for, or collaborate with a non-profit whose sole mission is to benefit the library; authorizes DCPL to contract for advertisements and sponsorships, and sell tickets to select library events; converts the DCPL Revenue-Generating Activities Fund to non-lapsing; and makes other technical corrections.

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<sup>5</sup> D.C. Law 22-157.

<sup>6</sup> D.C. Law 22-294.

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

**Subtitle J. Use of School Permit Fees Amendment Act of 2019:** Amends the Ensuring Community Access to Recreational Spaces Act of 2018 to eliminate the limitation on the use of funds remitted to schools. Previously, use was limited to payment for the cleaning, maintaining, and repairing of school facilities.

**Subtitle K. Self-Operated School Food Service Amendment Act of 2019:** Requires the Mayor to pilot a self-operated school food services model for 10 DCPS schools over a two-year time period; requires the Mayor to commission an independent consultant with relevant expertise to advise and provide training to DCPS staff on operating a self-operated school food service model; and requires the Mayor to provide a report to the Council assessing school food services during each year of the pilot, including a comparison of student satisfaction surveys and cost savings with schools not participating in the pilot.

**Subtitle L. Truancy Prevention and Literacy Pilot Program Act of 2019:** Establishes a one-year pilot program through OSSE that will award funds to one DCPS and one D.C. Public charter elementary school, which meets certain eligibility requirements, to focus resources on decreasing chronic truancy and increasing early literacy.

**Subtitle M. University of the District of Columbia Affordable Law Firm Participation Amendment Act of 2019:** Authorizes the David A. Clarke School of Law to participate in the District of Columbia Affordable Law Firm, a non-profit organization that employs recent law school graduates to provide affordable legal services to District residents whose income is too high to receive free legal aid but not enough to afford market rate at local firms.

**Subtitle N. Special Needs Public Charter School Funding Authorization Act of 2019:** Authorizes the Public Charter School Board to provide one-time funds in fiscal year 2020 to St. Coletta Special Education Public Charter School (PCSB), a special needs public charter school that serves students between the ages of 3-22, who have an Individualized Education Plan that requires that they receive at least 24.5 hours a week of special education services and who are diagnosed with intellectual disabilities, autism, or multiple disabilities; provides that these funds shall be in addition to any funds transmitted to the school pursuant to the UPSFF; directs the PCSB to transfer the funds within 30 days of the effective date of the Fiscal Year 2020 Local Budget Act of 2019; and requires quarterly accounting of expenditures.

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

**Subtitle A. Flexible Rent Subsidy Program Amendment Act of 2019:** Exempts households enrolled in the Flexible Rent Subsidy Pilot Program from the income limit used to determine eligibility for services for residents at risk of homelessness, as the subsidy itself could push participants beyond the maximum income of 40% of the Area Median Income.

**Subtitle B. Interagency Council on Homelessness Consumer Member Stipends Amendment Act of 2019:** Allows members of the Interagency Council on Homelessness to receive a stipend limited to \$50 per meeting.

**Subtitle C. Office of Veterans Affairs Grant-Making Authority Amendment Act of 2019:** Amends the Office of Veterans Affairs Establishment Act to grant the Office of Veterans Affairs the authority to issue grants to support veterans, their dependents, and their survivors.

**Subtitle D. Adult Protective Services Transfer Amendment Act of 2019:** Transfers the Adult Protective Services division at the Department of Human Services to the Department of Aging and Community Living, complete with its functions, duties, personnel, resources and resources dedicated to implementing the Adult Protective Services Act of 1984.

**Subtitle E. Families First DC Program Implementation Act of 2019:** Authorizes the Mayor to award grants to non-profit organizations to support the establishment and operation of Families First DC centers, aimed at reducing certain disparities in District neighborhoods; and prioritizes neighborhoods that meet certain criteria, including experiencing disproportionate numbers of substantiated cases of childhood abuse and neglect.

**Subtitle F. Dementia Services Coordinator Act of 2019:** Establishes a Dementia Services Coordinator position in the Department of Health, sets out certain responsibilities relevant to support individuals with dementia, including implementing and updating the District of Columbia Plan on Alzheimer's Disease.

**Subtitle G. Child and Family Services Agency Prevention Services Grants Act of 2019:** Requires the Child and Family Services Agency to award, on a competitive basis, four grants in Fiscal Year 2020 to programs that provide targeted upstream prevention services with the purposes of reducing abuse and neglect of the District's youth; the programs include (1) targeted legal intervention, (2) father involvement, (3) services to youth who have been or are at risk of becoming victims of sex trafficking, and (4) parenting group sessions and home visitation.

**Subtitle H. Department of Health Care Finance Grant-Making Amendment Act of 2019:** Requires the Director of the Department of Health Care Finance to award two competitive grants: (1) not to exceed \$150,000 to fund operating expenses associated with the provision of medical respite care services to homeless individuals, and (2) not to exceed \$100,000 to community-based initiatives focused on addressing the social determinants of health in Ward 7 and 8. The subtitle also requires the Director, by January 1, 2020, to submit a report setting forth recommendations regarding the establishment of medical respite care services for individuals who are homeless through either a Medicaid State Plan amendment or a Medicaid Section 1115 demonstration waiver.

**Subtitle I. Medicaid Hospital Supplemental Payment Amendment Act of 2019:** Authorizes the District to continue to charge a fee on each hospital's outpatient gross patient revenue, to be deposited in the Hospital Provider Feed Fund and extends the sunset date from September 30, 2019 to September 30, 2029; and authorizes the District to continue to charge a fee

on the inpatient net patient revenue of each hospital, to be deposited in the Hospital Fund; and extends the sunset date from September 30, 2019 to September 30, 2029.

**Subtitle J. Not-For-Profit Hospital Corporation Fiscal Oversight and Transition Planning Amendment Act of 2019:** Amends the composition of the UMC Board if, by July 31, 2019, the current UMC Board does not adopt a revised budget for fiscal year 2020 with only a \$15 million District operating subsidy, or if after July 31, 2019 an annual subsidy of more than \$15 million is required; requires the UMC Board, by July 1, 2019, to approve an operating budget for fiscal year 2021 that does not exceed the \$15 million annual operating subsidy from the District; provides that by December 31, 2022, the United Medical Center (UMC) shall no longer admit new patients, that by January 31, 2023, UMC shall cease patient operations, and on January 21, 2023, the Not-For-Profit Hospital Corporation shall dissolve. The subtitle also repeals the East End Hospital Amendment Act of 2018; exempts the East End Hospital and a skilled nursing facility located in Ward 7 or 8 from the certificate of need review required by the Health Services Planning Re-establishment Act of 1996; and requires certain labor and workforce protections before the certificate of need waiver can take effect, including: (1) providing a detailed workforce development plan; (2) hiring a majority of non-supervisory employees of United Medical Center; and (3) developing a neutrality agreement.

**Subtitle K. D.C. Healthcare Alliance Reform Amendment Act of 2019:** Provides that D.C. Healthcare Alliance enrollees who enroll in the Alliance after March 31, 2023 will only be required to recertify their enrollment on an annual basis; establishes a two-month pilot program which allows enrollees to submit a recertification package in-person at a community health provider that is approved by the Department of Health Care Finance.

**Subtitle L. Fort Dupont Ice Arena Construction Acceleration Act of 2019:** Directs the process for the planning, design, and construction of the Fort Dupont Ice Arena to begin on October 1, 2019 or once \$1.3 million is raised in private donations by the Friends of the Fort Dupont Ice Arena, whichever is later.

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

**Subtitle A. Half Street Improvement Amendment Act of 2019:** Authorizes the District Department of Transportation (DDOT) to issue grants, including grants in excess of \$1,000,000, for the purpose of improving the portion of Half Street, S.E., between N Street, S.E., and M Street, S.E., to the Capitol Riverfront Business Improvement District or to an owner of real property adjacent to the portion of Half Street, S.E., between N Street, S.E. and M Street, S.E.

**Subtitle B. Master Transportation Capital Projects Amendment Act of 2019:** Repeals the statutory provision that sunsets DDOT's authority to assign local capital projects (sub-projects) to local capital master projects on January 21, 2019; allows the DDOT Director to reallocate funding for associated capital projects to master capital projects on an ongoing basis; and revises outdated and incorrect language to ensure that the scope of DDOT's authority under the reallocation provision is clear.

**Subtitle C. Department of For-Hire Vehicles Amendment Act of 2019:** Clarifies that appeals from final decisions of the Department of For-Hire Vehicles (DFHV) shall be made directly to the D.C. Court of Appeals. In addition, the subtitle provides that DFHV shall provide the Council quarterly reports on the Public Vehicles For-Hire Consumer Service Fund (Fund). Currently, DFHV must provide the Council monthly reports on the Fund.

**Subtitle D. Parking Enforcement When a Motor Vehicle Operator Leaves the Site of a Violation Amendment Act of 2019:** Authorizes the Mayor to serve notice of a parking infraction by mail when the operator of a vehicle drives away before a parking officer has the opportunity to serve notice of a violation to the vehicle operator or to affix notice of a violation to the vehicle.

**Subtitle E. Student, Foster Youth, Summer Youth Employee, and Adult Learner Transit Subsidies Amendment Act of 2019:** Revises the existing law on four transit subsidy programs to make simplifying and clarifying changes; establishes the eligibility criteria for the four programs; raises the minimum amount required for the SYEP transit subsidy; raises the monthly Adult Learner transit subsidy; and authorizes rulemaking.

**Subtitle F. CleanEnergy Implementation Amendment Act of 2019:** Amends the Clean and Affordable Energy Act to authorize the use of revenues from the Sustainable Energy Trust Fund (Fund) to help fund the CleanEnergy DC Omnibus Amendment Act of 2018 (D.C. Act 22-583). Specifically, the revenues will be used to support the implementation of an energy retrofit program, and to support the implementation of the transportation emission reduction initiative.

**Subtitle G. Clean Rivers Impervious Area Charge Assistance Fund Amendment Act of 2019:** Establishes the Clean Rivers Impervious Charge Assistance Fund to ensure that funds appropriated to provide financial assistance for District residents with the payment of their impervious area charges do not revert to the general fund.

**Subtitle H. Residential Parking Permit Amendment Act of 2019:** Amends Title 18 of the District of Columbia Municipal Regulations to increase the fee for a one-year Residential Parking Permit (RPP). The annual fee for an RPP per address will be \$50 for the first vehicle, \$75 for the second vehicle, \$ 100 for the third vehicle, and \$150 for any vehicle beyond the third vehicle.

**Subtitle I. Driving While Using A Mobile Telephone Minor Prohibition Amendment Act of 2019:** Amends the Distracted Driving Safety Act to prohibit a person who is under the age of 18 from using any mobile telephone or other electronic device, including those with hands-free accessories, while operating a motor vehicle. Further, it clarifies that having a fine suspended for a first-time violation of this act by providing proof of the acquisition of a hands-free accessory does not apply to bus drivers, learner permit holders, and a person under the age of 18.

**Subtitle J. Office of Urban Agriculture Establishment Amendment Act of 2019:** Establishes an Office of Urban Agriculture (Office) within the Department of Energy and Environment. The mission of the Office is to encourage and promote urban, indoor, and other emerging agriculture practices in the District. In addition, the subtitle moves the urban farming

lease program and the urban agriculture tax abatement program from the Department of General Services to the Department of Energy and Environment.

**Subtitle K. Temporary Visitor Parking Permit Program Transfer Regulation Amendment Act of 2019:** Moves responsibility for the temporary visitor parking permit program from MPD to DDOT.

**Subtitle L. Congestion Pricing Study Amendment Act of 2019:** Requires DDOT, by July 1, 2020, to evaluate and make recommendations regarding the potential benefits of congestion pricing. The study would be required to examine the following: intra-district tolls; tolls for vehicles entering the District via District's bridges; different pricing strategies; different pricing strategies and its compatibility with the introduction of autonomous vehicles; the effect on demographic, geographical, and income-level equity, as well as the effect on District residents and non-residents; the potential to raise revenue; and the potential benefits of regional collaboration.

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

**Subtitle A. Extension of and Increase to the Keep Child Care Affordable Tax Credit Amendment Act of 2019:** Extends the Early Learning Tax Credit Amendment Act of 2018; increases maximum available credit according to inflation after 2019; and reduces the maximum income level allowable to qualify for the tax credit from \$750,000 to \$150,000 per year; and increases thresholds annually pursuant to a cost-of-living adjustment.

**Subtitle B. Keep Housing Affordable Increased Property Tax Relief Amendment Act of 2019:** Adjusts "Schedule H" property tax and adjusted gross income (AGI) percentages; increases tax credit income thresholds after 2018; increases maximum allowable tax credit after 2018; increases maximum allowable tax credit pursuant to annual cost-of-living adjustments; eliminates the provision requiring dependent income in the credit calculation; and requires the District to accept electronic submission of standalone forms along with forms that have zero dollars AGI.

**Subtitle C. Deed Recordation and Transfer Taxes Amendment Act of 2019:** Increases the deed transfer and deed recordation tax rates on mixed-use and commercial real estate transactions valued at \$2 million or higher, and sunsets this increase on September 30, 2023.

**Subtitle D. Internet Sales Tax Revenue Amendment Act of 2019:** Repeals the one-time dedication of all the Fiscal Year 2019 revenue generated by the Internet Sales Tax Amendment Act to go to the Commission on the Arts and Humanities.

**Subtitle E. Internet Sales Tax Commercial Property Tax Rate Amendment Act of 2019:** Repeals the provision in the Internet Sales Tax Amendment Act of 2018 that would use new sales tax revenue generated by the interest sales tax to lower the Class 2 commercial property tax rate on properties with an assessed value greater than \$10 million until the rate reaches \$1.85 per \$100 of assessed property value.

**Subtitle F. Sports Wagering Revenue Amendment Act of 2019:** Amends the Sports Wagering Lottery Amendment Act of 2018 to include clarifying provisions regarding Certified Business Enterprises that were approved by the Council in the Sports Wagering Lottery Clarification Emergency Amendment Act of 2019;<sup>7</sup> updates the applicability clause to reflect the amendatory section that remains subject to appropriation; and addresses "dead zones" identified in the legislation where no sports betting, District operated or otherwise, is allowed; allows private operators to step in to offer sports wagering through a mobile application in these dead zones and ensures the District will collect additional revenue.

**Subtitle G. Healthy Kids Revenue Amendment Act of 2019:** Revises the definition of soft drinks and imposes an eight percent tax on the gross receipts from the sale or charges made for soft drinks.

**Subtitle H. Washington Parks & People Equitable Real Property Tax Relief Act of 2019:** Provides real property tax relief to Columbia Heights Green, a Community Harvest and job training initiative, owned and operated by the nonprofit Washington Parks & People, that provides workforce development through its Green Corps job training program.

**Subtitle I. National Cherry Blossom Festival Fundraising Match Act of 2019:** Establishes a matching grant program for up to \$750,000 to support the 2020 National Cherry Blossom Festival, to be administered by the Washington Convention and Sports Authority. The Council has included similar grants in previous fiscal years.

**Subtitle J. Senior Residents Real Property Tax Cap Clarification Amendment Act of 2019:** The Fiscal Year 2019 Budget Support Act<sup>8</sup> lowered the cap<sup>9</sup> on assessment growth to five percent annually for homestead-qualified residents over the age of 65, or with a permanent disability, and with a household adjusted gross income of less than \$125,000. The subtitle clarifies that the five percent cap applies to qualified senior and disabled residents living in cooperative housing associations;<sup>10</sup> includes language provided by the Office of Tax and Revenue to ensure that the credit attributable to a senior is actually passed on to that senior's household and not shared among the cooperative as a whole; and states that the clarification applies as of October 1, 2018.

**Subtitle K. Special Funds Repeal:** Repeals four funds that are no longer in use: the Productivity Bank Fund, the Fee Collection Incentive Fund, the WMATA Momentum Fund, and the WMATA Operations Support Fund.

**Subtitle L. Lease Assignment Authority Amendment Act of 2019:** Repeals the provision that authorizes the Mayor to assign the annual lease payments to the Washington Convention and Sports Authority.

**Subtitle M. Expenditure Commission Establishment Act of 2019:** Establishes an Expenditure Commission to review the District's current budget structure and preparing

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<sup>7</sup> D.C. Act 23-2.

<sup>8</sup> Section 2007 of D.C. Law 22-168, effective October 30, 2018. 81

<sup>9</sup> D.C. Official Code § 47-864(b).

<sup>10</sup> D.C. Official Code § 29-901 et seq.



comprehensive recommendations to the Council and the Mayor on future budgets, including potential sources of revenue; and specifies functions, reporting, composition, appointment, and authority.

**Subtitle N. Nonprofit Workforce Housing Properties Real Property Tax Exemption Amendment Act of 2019:** Establishes a tax exemption that reduces the real property tax and deed and recordation tax for properties that meet certain requirements, provided, that qualifying projects must include at least 40% of units leased to households with incomes at or below 60% of the area median income (AMI) and at least 10% of units, plus one, leased to households with incomes at or below 80% of AMI; and provided, that the property owner is a nonprofit entity or a limited liability company, the sole member of which is exempt from federal income tax under section 501(c)(3); provides that if a tenant's income rises and exceeds the income limits, the next available unit of comparable size shall be rented to another income-eligible household; and establishes certification requirements at the Office of Tax and Revenue.

**Subtitle O. Subject to Appropriations Amendment Act of 2019:** Repeals or amends the subject-to-funding provisions for the following 36 measures to reflect that they are now funded or that they will be fully or partially funded in the budget and financial plan adopted pursuant to Bill 23-208, the Fiscal Year 2020 Local Budget Act of 2019:

1. Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, effective October 21, 2015 (D.C. Law 21-30; D.C. Official Code § 47-1097, note)<sup>11</sup>
2. Safe at Home Act of 2016, effective November 26, 2016 (D.C. Law 21-168; D.C. Official Code § 7-551.01)
3. Feminine Hygiene and Diaper Sales Tax Exemption Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-201; 63 DCR 15041)<sup>12</sup>
4. Advisory Neighborhood Commissions Omnibus Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-269; 64 DCR 2162)
5. Senior Dental Services Program Act of 2018, effective June 5, 2018 (D.C. Law 22-108; 65 DCR 3807)<sup>13</sup>
6. Office of Administrative Hearings Jurisdiction Expansion Amendment Act of 2018, effective April 19, 2018 (D.C. Law 22-112; 65 DCR 4608)
7. Accessible and Transparent Procurement Amendment Act of 2018, effective July 3, 2018 (D.C. Law 22-121; 65 DCR 5083), is repealed.<sup>14</sup>
8. Study of Mental Health and Substance Abuse in Immigrant Communities Act of 2018, effective July 17, 2018 (D.C. Law 22-141; 65 DCR 5973)

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<sup>11</sup> Sections 3 and 4 were repealed.

<sup>12</sup> This provision was included in proposed subtitle VII-G but is more appropriately included in this subtitle.

<sup>13</sup> This law is funded in Fiscal Year 2020 only; the applicability provision has been updated to reflect this limited funding.

<sup>14</sup> Law 22-121 was funded in the FY19 Local Budget Act, but the applicability provision was not repealed. This corrects this error.

9. Public Housing Credit Building Pilot Program Amendment Act of 2018, effective August 22, 2018 (D.C. Law 22-154; 65 DCR 7146)
10. Student Fair Access to School Amendment Act of 2018, effective August 25, 2018 (D.C. Law 22-157; 65 DCR 9890)<sup>15</sup>
11. Healthy Parks Amendment Act of 2018, effective November 27, 2018 (D.C. Law 22-186; 65 DCR 11408)
12. Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018 (D.C. Law 22-189; 65 DCR 11622)
13. Rental Housing Affordability Re-establishment Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-202; 65 DCR 12333)
14. Access to Treatment for Anaphylaxis Act of 2018, effective February 22, 2019 (D.C. Law 22-207; 65 DCR 12368)
15. Pathways to District Government Careers Amendment Act of 2018, enacted on February 22, 2019 (D.C. Law 22-211; 65 DCR 12603)
16. Vacancy Increase Reform Amendment Act of 2018, effective February 22, 2019 (D.C. Law 22-223; 66 DCR 185)
17. Daytime School Parking Zone Act of 2018, effective February 22, 2019 (D.C. Law 22-226; 66 DCR 195)
18. Structured Settlements and Automatic Renewal Protections Act of 2018, effective March 13, 2019 (D.C. Law 22-235; 66 DCR 580)
19. Study of Long-Term Care Facilities and Long-Term Care Services Act of 2018, effective March 13, 2019 (D.C. Law 22-238; 66 DCR 595)
20. Healthy Students Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-240; 66 DCR 912)
21. Lead Water Service Line Replacement and Disclosure Amendment Act of 2018, effective March 13, 2019 (D.C. Law 22-241; 66 DCR 923)<sup>16</sup>
22. CleanEnergy DC Omnibus Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-257; 66 DCR 1360)
23. Rhode Island Avenue (RIA) Tax Increment Financing Act of 2018, effective March 22, 2019 (D.C. Law 22-263; 66 DCR 1387)
24. Public Restroom Facilities Installation and Promotion Act of 2017, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595)

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<sup>15</sup> Law 22-157 is amended in subtitle IV-G, *supra*.

<sup>16</sup> Amendatory section 6019a within section 2 is funded; amendatory sections 6019b and 6019c remain subject to appropriations.

25. Employment Protections for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-281; 66 DCR 1601)
26. Opioid Overdose Treatment and Prevention Omnibus Act of 2018, effective April 11, 2019 (D.C. Law 22-288; 66 DCR 1663)
27. Safe Fields and Playgrounds Act of 2018, effective April 11, 2019 (D.C. Law 22-293; 66 DCR 1701)<sup>17</sup>
28. School Safety Omnibus Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-294; 66 DCR 1707)
29. Economic Development Return on Investment Accountability Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-295; 66 DCR 2005)
30. Wage Garnishment Fairness Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-296; 66 DCR 2008)
31. Performing Arts Promotion Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-297; 66 DCR 2015)
32. DC Water Consumer Protection Amendment Act of 2018, effective April 11, 2019 (D.C. Law 22-299; 66 DCR 2020)<sup>18</sup>
33. Hyacinth's Place Equitable Real Property Tax Relief Act of 2018, effective April 11, 2019 (D.C. Law 22-301; 66 DCR 2028)
34. Students in the Care of D.C. Coordinating Committee Act of 2018, effective April 11, 2019 (D.C. Law 22-303; 66 DCR 2037)
35. Short-Term Rental Regulation Act of 2018, effective April 25, 2019 (D.C. Law 22-307; 66 DCR 898)
36. Sports Wagering Lottery Amendment Act of 2018, effective May 3, 2019 (D.C. Law 22-312; 66 DCR 1402)<sup>19</sup>

In addition to above laws, the following measures were also funded in the Fiscal Year 2020 budget and financial plan, but were not included in this subtitle:

1. Leaf Blower Regulation Amendment Act, effective February 22, 2019 (D.C. Law 22-255; 66 DCR 191); when passed by Council, its costs were outside the financial plan and thus the law did not include an applicability provision;
2. Close Relative Caregivers Subsidies Amendment Act of 2019; this is related to Bill 23-203, pending in the Committee on Human Services;

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<sup>17</sup> Law 22-293 was passed without an applicability clause but was subject to appropriation; it is partially funded in Fiscal Year 2020 and an applicability clause was added to reflect that sections 5 and 6 remain subject to appropriation.

<sup>18</sup> Section 4, the applicability provision, was mistakenly included in this law. This repeal corrects that error.

<sup>19</sup> Law 22-312 was passed without the applicability clause and is amended to reflect that amendatory section 316(d) of section 2 remains subject to appropriation.

3. Temporary Parking Limitation Regulation Amendment Act of 2018, effective March 28, 2019 (D.C. Law 22-270; 66 DCR 1444), which was passed without an applicability provision;
4. Ensuring Community Access to Recreational Spaces Act of 2018, effective DATE (D.C. Law 22-210; INFO) – passed without the S2A clause
5. Repeat Parking Violations Amendment Act of 2018, effective DATE (D.C. Law; INFO) – passed without the S2A clause

**Subtitle P. Council Period 23 Rule 736 Repeals Act of 2019:** Repeals the following laws, or provisions thereof, that had been approved subject to appropriation and have remained unfunded for two fiscal years, pursuant to Council Rule 736:

1. Incarceration to Incorporation Entrepreneurship Program Act of 2016, effective October 8, 2016 (D.C. Law 21-159; 63 DCR 10771)
2. Improving Access to Identity Documents Amendment Act of 2016, effective February 7, 2017 (D.C. Law 21-195; 63 DCR 15016)
3. Enhanced Penalties for Distracted Driving Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-196; 63 DCR 15027)
4. Notice in Case of Emergency Amendment Act of 2016, effective April 1, 2017 (D.C. Law 21-225; 64 DCR 154)
5. Vehicle-for-Hire Accessibility Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-242; 64 DCR 1608)<sup>20</sup>

**Subtitle Q: Events DC Grant-Making Amendment Act of 2019:** Amends the Washington Convention Center Authority Act of 1994 to require Events DC to issue not less than \$10 million in grants to support cultural institutions operating in the District of Columbia.

**Subtitle R: Washington Convention and Sports Authority Unrestricted Reserves Amendment Act of 2019:** Directs the Authority, notwithstanding any provision of law, to transfer \$60 million from its unrestricted reserves to the District’s General Fund. Section 213 of the Washington Convention Center Authority Act of 1994 provides that excess revenue, outside of reserves defined in the statute, shall be transferred to the General Fund. The Act requires the Fund to retain reserves large enough to cover any debt service for outstanding bonds and notes issued by the Authority, as well as a specified amount of operating and capital reserves. Beyond the statutorily required reserves, the Act allows additional reserves “if the Authority determines that such action is necessary,” subject to Council approval. As of September 30, 2018, the Fund held approximately \$221 million in cash and investments, plus another \$199 million in restricted reserves. This amendment returns a portion of these tax revenues to the General Fund, as the Council originally intended.

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<sup>20</sup> Sections 3 and 4 only were unfunded; accordingly, only those two sections are repealed.

## **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

**Subtitle A. Designated Fund Transfer Act of 2019:** Directs the transfer of fund balance or revenue from certain special funds in Fiscal Year 2019 and the transfer of vacancy savings from special purpose revenue-funded vacant positions to be made available in the Fiscal Year 2020 Budget and Financial Plan.

## **TITLE IX. CAPITAL BUDGET**

**Subtitle A. Fiscal Year 2020 Capital Project Reallocation Approval Act of 2019:** rescinds approximately \$28.5 million from existing allotments in the Capital Improvements Plan for the purpose of balancing the capital portion of the Fiscal Year 2020 budget and financial plan.

**TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE:** Sets forth the applicability provision, fiscal impact, and effective date of the act. Except as specifically provided in the subtitles, this act shall apply as of October 1, 2019.

## **IX. COMMITTEE ACTION**

On May 14, 2019, the Committee met to consider Bill 23-209, the “Fiscal Year 2020 Budget Support Act of 2019.” The meeting was called to order at xxx p.m., and Bill 23-209 was item x-x on the agenda. After ascertaining a quorum (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White present), Chairman Mendelson moved the committee print for Bill 23-209 with leave for staff to make technical and conforming changes.

After an opportunity for discussion, the vote on the committee print was unanimous (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White voting aye). Chairman Mendelson then moved the committee report for Bill 23-209 with leave for staff to make technical, conforming, and editorial changes. After an opportunity for discussion, the vote on the report was unanimous (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White voting aye). The meeting adjourned at xx p.m.

## **X. ATTACHMENTS**

1. Bill 23-209 as introduced.
2. Mayor’s errata letter.
3. Fiscal Impact Statement for Bill 23-209.
4. Legal Sufficiency Determination for Bill 23-209.
5. Committee Print for Bill 23-209.