

1 A BILL

2  
3 23-760

4  
5 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

6  
7  
8  
9 To enact and amend provisions of law necessary to support the Fiscal Year 2021 budget.

10  
11 **TABLE OF CONTENTS**

12

13	<b>TITLE I. GOVERNMENT DIRECTION AND SUPPORT</b> .....	<b>76</b>
14	<b>SUBTITLE A. ARCHIVES ADVISORY GROUP</b> .....	<b>76</b>
15	<b>SUBTITLE B. AUDIT ENGAGEMENT FUND</b> .....	<b>87</b>
16	<b>SUBTITLE C. FREEZE ON PAY INCREASES AND BENEFITS</b> .....	<b>98</b>
17	<b>SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL</b>	
18	<b>SUPPORT AND ASSISTANCE</b> .....	<b>1211</b>
19	<b>SUBTITLE E. RENEWABLE ENERGY FUTURE</b> .....	<b>1513</b>
20	<b>SUBTITLE F. DC CENTER FOR THE LGBT COMMUNITY GRANT</b> .....	<b>1715</b>
21	<b>SUBTITLE G. ACCESS TO JOBS</b> .....	<b>1715</b>
22	<b>SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT</b> .....	<b>2118</b>
23	<b>SUBTITLE I. NON-PROFIT FAIRNESS ANALYSIS</b> .....	<b>2118</b>
24	<b>SUBTITLE J. INDIGENOUS PEOPLES' DAY</b> .....	<b>2220</b>
25	<u><b>SUBTITLE K. CAMPAIGN FINANCE REFORM</b></u>	

26	<b>TITLE II. ECONOMIC DEVELOPMENT AND REGULATION .....</b>	<b><u>2620</u></b>
27	<b>SUBTITLE A. BUSINESS RECOVERY TASK FORCE ESTABLISHMENT .....</b>	<b><u>2620</u></b>
28	<b>SUBTITLE B. NEW YORK AVENUE N.E. RETAIL PRIORITY AREA EXPANSION</b>	
29	<b>.....</b>	<b><u>2923</u></b>
30	<b>SUBTITLE C. OPPORTUNITY ZONE TAX BENEFITS.....</b>	<b><u>2923</u></b>
31	<b>SUBTITLE D. STREETScape BUSINESS DEVELOPMENT RELIEF .....</b>	<b><u>3326</u></b>
32	<b>SUBTITLE E. EQUITY IMPACT ENTERPRISE ESTABLISHMENT.....</b>	<b><u>3427</u></b>
33	<b>SUBTITLE F. DMPED LIMITED GRANT-MAKING AUTHORITY .....</b>	<b><u>3932</u></b>
34	<b>SUBTITLE G. TAX ABATEMENTS FOR AFFORDABLE HOUSING .....</b>	<b><u>4234</u></b>
35	<b>SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP .....</b>	<b><u>4739</u></b>
36	<b>SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER ENGAGEMENT</b>	
37	<b>.....</b>	<b><u>5646</u></b>
38	<b>SUBTITLE J. WORKPLACE LEAVE NAVIGATORS.....</b>	<b><u>6151</u></b>
39	<b>SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM.....</b>	<b><u>6555</u></b>
40	<b>SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION .....</b>	<b><u>7059</u></b>
41	<b>SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY .</b>	<b><u>7261</u></b>
42	<b>SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION.....</b>	<b><u>7664</u></b>
43	<b>SUBTITLE O. UNIVERSAL PAID LEAVE FUND .....</b>	<b><u>8068</u></b>
44	<b>SUBTITLE P. SHARED WORK COMPENSATION PROGRAM .....</b>	<b><u>8773</u></b>
45	<b>SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS</b>	<b><u>10186</u></b>

46	SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION.....	<a href="#">10791</a>
47	SUBTITLE S. RENT STABILIZATION EXTENSION.....	<a href="#">10993</a>
48	SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND	
49	STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT.....	<a href="#">10993</a>
50	<u>SUBTITLE U. DC CENTRAL KITCHEN FACILITY GRANT .....</u>	
51	<u>SUBTITLE V. C&amp;O CANAL GRANT</u>	
52	TITLE III. PUBLIC SAFETY AND JUSTICE .....	<a href="#">11295</a>
53	SUBTITLE A. CRIMINAL CODE REFORM COMMISSION .....	<a href="#">11295</a>
54	SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE .....	<a href="#">11497</a>
55	SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT	
56	.....	<a href="#">11598</a>
57	SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM.....	<a href="#">11698</a>
58	SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS.....	<a href="#">11699</a>
59	SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD .....	<a href="#">118100</a>
60	SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING	
61	AUTHORITY .....	<a href="#">120101</a>
62	SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE .....	<a href="#">122104</a>
63	SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION .....	<a href="#">123104</a>
64	SUBTITLE J. ETHICS ENFORCEMENT .....	<a href="#">124105</a>
65	TITLE IV. PUBLIC EDUCATION SYSTEMS.....	<a href="#">126107</a>

66	SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE	<a href="#">126107</a>
67	SUBTITLE B. EDUCATION FACILITY COLOCATION .....	<a href="#">131141</a>
68	SUBTITLE C. CHILD CARE GRANTS.....	<a href="#">133113</a>
69	SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING	
70	MATCH.....	<a href="#">134114</a>
71	SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL	
72	STABLIZATION .....	<a href="#">134114</a>
73	SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY .....	<a href="#">136116</a>
74	SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION .....	<a href="#">144122</a>
75	SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS.....	<a href="#">144123</a>
76	SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE.....	<a href="#">146124</a>
77	SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING	
78	EXTENSION.....	<a href="#">146125</a>
79	SUBTITLE K. DCPS AUTHORITY FOR SCHOOL SECURITY .....	<a href="#">147125</a>
80	TITLE V. HUMAN SUPPORT SERVICES .....	<a href="#">153130</a>
81	SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED	
82	PAYMENTS .....	<a href="#">153131</a>
83	SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION .....	<a href="#">155133</a>
84	SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS	
85	QUALITY IMPROVEMENTS .....	<a href="#">165141</a>

86	SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT .....	<a href="#">166141</a>
87	<b><u>SUBTITLE E. TELEHEALTH REIMBURSEMENT</u></b>	
88	TITLE VI. OPERATIONS AND INFRASTRUCTURE .....	<a href="#">169144</a>
89	SUBTITLE A. OPPORTUNITY ACCOUNTS.....	<a href="#">169144</a>
90	SUBTITLE B. GREEN BUILDING FUND USE EXPANSION .....	<a href="#">172147</a>
91	SUBTITLE C. GAME OF SKILL MACHINES .....	<a href="#">172147</a>
92	SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND .....	<a href="#">204176</a>
93	SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE ACCOUNTS	
94	.....	<a href="#">206178</a>
95	SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY .....	<a href="#">209181</a>
96	SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM .....	<a href="#">215186</a>
97	SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT .....	<a href="#">216186</a>
98	SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT .....	<a href="#">216187</a>
99	SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT	
100	.....	<a href="#">216187</a>
101	SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY	
102	.....	<a href="#">217188</a>
103	SUBTITLE L. COMPETITIVE GRANT .....	<a href="#">218189</a>
104	SUBTITLE M. URBAN AGRICULTURE FUNDING .....	<a href="#">218189</a>
105	SUBTITLE N. WASTE DISPOSAL FEES .....	<a href="#">219190</a>

106	SUBTITLE O. FAST FERRY GRANT .....	<u>220190</u>
107	TITLE VII. FINANCE AND REVENUE .....	<u>220191</u>
108	SUBTITLE A. PERSONAL PROPERTY TAX .....	<u>220191</u>
109	SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX.....	<u>222192</u>
110	SUBTITLE C. BALLPARK REVENUE FUND.....	<u>222192</u>
111	SUBTITLE D. EVENTS DC AUTHORITY .....	<u>223193</u>
112	SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS	
113	TAX ABATEMENT .....	<u>224194</u>
114	SUBTITLE F. OFF PREMISES ALCOHOL TAX RATE.....	<u>224194</u>
115	SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND	
116	MODIFICATIONS.....	<u>226195</u>
117	SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS .....	<u>230199</u>
118	SUBTITLE I. DISTRICT HISTORY GRANT.....	<u>233201</u>
119	SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING	
120	MATCH.....	<u>233201</u>
121	SUBTITLE K. MOTOR VEHICLE FUEL TAX .....	<u>234202</u>
122	SUBTITLE L. <del>ADVERTISING AND PERSONAL INFORMATION TAXES</del> <u>NEW</u>	
123	<u>COMMUNITIES CLARIFICATION</u> .....	<u>237203</u>
124	SUBTITLE M. <del>DOWNLOADING LOST REVENUES</del> <u>QHTC TAX INCENTIVES</u>	
125	<u>MODIFICATION</u> .....	<u>241206</u>

126      **SUBTITLE N. ADAMS MORGAN BID .....** [243208](#)  
127      **SUBTITLE O. SKYLAND TAX EXEMPTION.....** [244208](#)  
128      **SUBTITLE P. COMBINED REPORTING TAX DEDUCTION DELAY.....** [245209](#)  
129      **SUBTITLE Q. ESTATE TAX ADJUSTMENT.....** [246210](#)  
130      **SUBTITLE R. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX**  
131      **CREDIT CLARIFICATION**  
132      **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS .....** [255210](#)  
133      ~~**TITLE IX. CAPITAL BUDGET ADJUSTMENTS .....**~~ [259213](#)  
134      **TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE .....** [261215](#)

135

136           BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
137 act may be cited as the “Fiscal Year 2021 Budget Support Act of 2020”.

138

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

140           **SUBTITLE A. ARCHIVES ADVISORY GROUP**

141           Sec. 1001. Short title.

142           This subtitle may be cited as the “Archives Advisory Act of 2020”.

143           Sec. 1002. Archives Advisory Group.

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

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

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

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

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

158 (f) Members of the Archives Advisory Group shall not be reimbursed for expenses, nor  
159 compensated. Any other necessary resources shall be coordinated by the Secretary to the  
160 Council.

161 **SUBTITLE B. AUDIT ENGAGEMENT FUND**

162 Sec. 1011. Short title.

163 This subtitle may be cited as the “Audit Engagement Fund Act of 2019”.



164           Sec. 1012. Audit Engagement Fund.

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

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

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

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

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

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

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

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

180           Sec. 1031. Short title.

181           This subtitle may be cited as the “Balanced Budget and Financial Plan Freeze on Salary  
182 Schedules, Benefits, and Cost-of-Living Adjustments Act of 2020”.

183           Sec. 1032. Definitions.

184 For the purposes of this subtitle, the term:

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

188 (2) “Covered agency” means an agency, office, or instrumentality of the District  
189 government and independent agencies, as defined in section 301(13) of the CMPA, effective  
190 March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)), except that the term  
191 “covered agency” does not include the District of Columbia Housing Authority, the District of  
192 Columbia Housing Finance Agency, the District of Columbia Public Charter School Board, the  
193 District of Columbia Water and Sewer Authority, the Not-for-Profit Hospital Corporation, the  
194 Board of Trustees of the University of the District of Columbia, or the Washington Convention  
195 and Sports Authority.

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

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

200 (5) “Personnel authority” shall have the same meaning as set forth in section  
201 301(14) of the CMPA.

202 Sec. 1033. Freeze on cost-of-living adjustments.

203           Notwithstanding any other provision of law, rule, or collective bargaining agreement, an  
204 employee of a covered agency shall not receive a cost-of-living adjustment during the period  
205 from October 1, 2020, through September 30, ~~2024~~2021. Nothing in this subtitle shall be  
206 construed to prohibit collective bargaining on non-compensation issues.

207           Sec. 1034. Maintenance of Fiscal Year 2020 salary schedules and benefits.

208           Notwithstanding any other provision of law, collective bargaining agreement,  
209 memorandum of understanding, side letter, or settlement, whether specifically outlined or  
210 incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be  
211 maintained during Fiscal Years 2021, ~~2022, 2023, and 2024~~ and no increase in salary or benefits,  
212 including increases in negotiated salary, wage, and benefits provisions, and negotiated salary  
213 schedules, shall be provided in Fiscal Years 2021, ~~2022, 2023, or 2024~~ from the Fiscal Year  
214 2020 salary and benefits levels of covered agencies.

215           Sec. 1035. Rules.

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

221           Sec. 1036. Revised revenue contingency.

222 Notwithstanding any other provision of law, a portion of the amount of local recurring  
223 revenues included in the Chief Financial Officer's revenue estimates ~~for Fiscal Year 2021~~ issued  
224 prior to January 1, 2021 that exceeds the April 24, 2020 revenue estimate incorporated in the  
225 approved budget and financial plan for Fiscal Year 2021 shall be deposited in the Workforce  
226 Investment Account in order to ~~be available to~~ satisfy the Fiscal Year 2021 negotiated salary  
227 adjustments set aside by section 1033 for employees in the bargaining units covered by the  
228 collective bargaining agreements approved pursuant to the Interest Arbitration Award and  
229 Collective Bargaining Agreement between the District of Columbia Public Schools and the  
230 Office of the State Superintendent of Education and the American Federation of State, County  
231 and Municipal Employees, District Council 20, Local 2921, AFL-CIO Emergency Approval  
232 Resolution of 2020, effective March 3, 2020 (Res. 23-374; 67 DCR 2735), and the  
233 Compensation Collective Bargaining Agreement between the District of Columbia Government  
234 and Compensation Units 1 and 2, FY 2018-FY2021, Approval Resolution of 2018, deemed  
235 approved February 23, 2018 (P.R. 22-738; ~~65 DCR 872~~); provided, that if amounts certified in a  
236 single revenue estimate are insufficient to satisfy the combined value of the negotiated salary  
237 adjustments under both agreements, the Mayor or appropriate personnel authority shall consult  
238 with the affected bargaining units as to how the available funds shall be allocated.

239 Sec. 1037. Applicability.

240 This subtitle shall apply as of July 31, 2020.

241           **SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL**  
242           **SUPPORT AND ASSISTANCE**

243           Sec. 1041. -Short title.

244           This subtitle may be cited as the “Advisory Neighborhood Commissions Technical  
245 Support and Assistance Amendment Act of 2020”.

246           Sec. 1042. The Advisory Neighborhood Commissions Act of 1975, effective March 26,  
247 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*),<sup>2</sup> is amended as follows:

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

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

253           “Sec. 16a. Advisory Neighborhood Commissions Technical Support and Assistance  
254 Fund.

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

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

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

260                   “(2) Any amounts allocated to Advisory Neighborhood Commissions pursuant to  
261 ~~Section-section~~ 738(e) of the District of Columbia ~~Self-Government and Governmental~~  
262 ~~Reorganization Act~~ Home Rule Act, approved December 24, 1973 (87 Stat. 824; D.C. Official  
263 Code § 1-~~251~~207.38(e)), that are forfeited pursuant to section 16(d)(3) or (j)(3) or unclaimed by  
264 the last day of the fiscal year ~~pursuant to section 16(d)(3) or section 16(j)(3) of the Advisory~~  
265 ~~Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C.~~  
266 ~~Official Code § 1-309.13).~~

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

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

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

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

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

281                   “(5) Providing or procuring printing services for Advisory Neighborhood  
282 Commissions; and

283                   “(6) Providing or procuring website assistance for Advisory Neighborhood  
284 Commissions.

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

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

290                   Sec. 1043. Applicability.

291                   This subtitle shall apply as of September 30, 2020.

292                   **SUBTITLE E. RENEWABLE ENERGY FUTURE**

293                   Sec. 1051. Short title.

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

295                   Sec. 1052. The Department of General Services Establishment Act of 2011, effective  
296 September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01, *et seq.*), is amended as  
297 follows:

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

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

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

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

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

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

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

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

314 (b) A new section 1028d (~~D.C. Code §1-551.07d~~) is added to read as follows:

315 “Section 1028d. Renewable energy generation at District-owned properties.

316 “(a) Subject to the availability of funding, the Department shall initiate or expand  
317 renewable energy generation at every District-owned property under the control of the Mayor



318 where doing so is found feasible by the analysis required by ~~subsection (c-1)~~ of section 1026(c-  
319 1) of this act.

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

325 “(1) Be awarded to a qualified small business enterprise; provided, that if the  
326 Department determines that there are not at least 2 qualified small business enterprises that can  
327 provide the services or goods that are the subject of the contract, the Department may use any  
328 qualified certified business enterprise; or

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

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

336 Sec. 1061. Short title.

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

339 Sec. 1062. For Fiscal Year 2021, the Department of General Services shall award the DC  
340 Center for the LGBT Community a grant in the amount of \$70,000 to sustain its operations while  
341 the organization anticipates an upcoming move.

342 **SUBTITLE G. ACCESS TO JOBS**

343 Sec. 1071. Short title.

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

345 Sec. 1072. Section 3(b)(2) of ~~The~~the Office on Ex-Offender Affairs and the Commission  
346 on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.  
347 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding new subparagraph (L)  
348 to read as follows:

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

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

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

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

357                                   “(III) Hire one or more eligible individuals who meet the  
358 requirements of sub-subparagraph (ii) of this subparagraph;  
359                                   “(IV) Be located within the District;  
360                                   “(V) Pay ~~the each employed~~ eligible individual at least the  
361 minimum wage required pursuant to the Minimum Wage Act Revision Act of 1992, effective  
362 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);  
363                                   “(VI) ~~Pay the~~Employ each eligible individual for a  
364 minimum of 20 hours per week for a minimum of 8 weeks; ~~and~~  
365                                   “(VII) Submit Complete an application; and  
366                                   “(VIII) provide-Provide documentation as required by the  
367 Office on Returning Citizen Affairs to substantiate the satisfaction of each requirement of the  
368 program for the participating eligible employer and for each eligible individual employed.  
369                                   “(ii) For an eligible employer to receive a grant for the  
370 employment of an eligible individual, the eligible individual must:  
371                                   “(I) Have been previously incarcerated;  
372                                   “(II) Be a resident of the District;  
373                                   “(III) Have completed a workforce development and life  
374 skills program within the District; and  
375                                   “(IV) Have been unemployed for a period of at least ~~1~~one  
376 month prior to being hired by the participating eligible employer.

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

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

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

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

385 “(I) For the first year that an eligible individual is employed  
386 by a participating eligible employer, 40% of the minimum wage for a period not to exceed 40  
387 hours per week and 2,080 hours per year for each eligible individual hired under the pilot  
388 program; and

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

393 “(v)(I) The total amount of funding expended through the pilot  
394 program shall not exceed the amount budgeted for the program; ~~except that:~~

395 “(II) Eligible employers shall receive funding in the order  
396 that they successfully ~~complete the application provide the documentation~~ required pursuant to

397 sub-subparagraph ~~(L)~~(i)(VIII) of this subparagraph for the employment of an eligible individual;  
398 ~~and.~~

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

405 **SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT**

406 Sec. 1081. Short title.

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

409 Sec. 1082. Section 3(b)(2) of ~~The~~the Office on Ex-Offender Affairs and the Commission  
410 on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.  
411 Law 16-243; D.C. Official Code § 24-1302(b)(2)), is amended by adding a new subparagraph  
412 (M) to read as follows:

413 “(M) ~~Continue the~~Conduct a Paralegal Fellowship Initiative pilot program  
414 ~~in Fiscal Year 2021 by placing that places~~ a cohort of returning citizen students in an accredited,  
415 university-based paralegal certification program located in the District of Columbia, while  
416 providing the students with support services necessary for their success.”.

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

418           Sec. 1091. Short title.

419           This subtitle may be cited as the “Non-Profit Reimbursement Fairness Analysis  
420 Amendment Act of 2020”.

421           Sec. 1092. Section 204(b) of the Procurement Practices Reform Act of 2010, effective  
422 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.04(b)) is amended as follows:

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

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

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

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

430                           “(A) A review and analysis of the funding of indirect costs in the terms of  
431 grant agreements or contracts entered into between non-profit organizations ~~by and~~ the District  
432 government;

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

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 23-760

July 27, 2020

Chairman Mendelson

~~ENGROSSED ORIGINAL~~

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

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

441                   Sec. 1101. Short title.

442                   This subtitle may be cited as the “Indigenous Peoples’ Day Amendment Act of  
443 2020”.

444                   Sec. 1102. Section 1202(a)(7) of the District of Columbia Government  
445 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-319;  
446 D.C. Official Code § 1-612.02(a)(7)), is amended by striking the phrase “Columbus  
447 Day” and inserting the phrase “Indigenous Peoples’ Day” in its place.

448                   Sec. 1103. Section 25-723(c)(1)(B) of the District of Columbia Official Code is  
449 amended by striking the phrase “Columbus Day” and inserting the phrase “Indigenous  
450 Peoples’ Day” in its place.

451                   Sec. 1104. Section 28-2701 of the District of Columbia Official Code is amended  
452 by striking the phrase “Columbus Day” and inserting the phrase “Indigenous Peoples’  
453 Day” in its place.

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

455                   Sec. 1111. Short title.

456                   This subtitle may be cited as the “Campaign Finance Reform Amendment Act of 2020”.

457 Sec. 1112. Section 1108(c-1) of the District of Columbia Government Comprehensive  
458 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
459 611.08(c-1)), is amended as follows:

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

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

464 (c) Paragraph (11) is repealed.

465 Sec. 1113. Title III of the Board of Ethics and Government Accountability Establishment  
466 and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law  
467 19-124; D.C. Official Code § 1-1163.01 *et seq.*), is amended as follows:

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

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

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

472 “(b) The reports required by subsection (a) of this section shall be filed on the 10th day of  
473 March, June, August, October, and December in the 7 months preceding the date on which, and  
474 in each year during which, an election is held for the office sought, and 8 days before a special or  
475 general election, and also by the 31st day of January each year. In addition, the reports shall be  
476 filed on the 31st day of July of each year in which there is no election. The reports shall be



477 complete as of the date prescribed by the Director of Campaign Finance, which shall not be more  
478 than 5 days before the date of filing, except that any contribution of \$200 or more received after  
479 the closing date prescribed by the Director of Campaign Finance for the last report required to be  
480 filled before the election shall be reported within 24 hours after its receipt.”.

481 Sec. 1114. Section 10 of the Campaign Finance Reform Amendment Act of 2018,  
482 effective March 13, 2019 (D.C. Law 22-250; 66 DCR 985), is amended to read as follows:

483 “Sec. 10. Applicability.

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

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

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

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

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

494 “(2) Shall not apply to contracts, as defined in section 101(10C)(A)(ii) of the  
495 Board of Ethics and Government Accountability Establishment and Comprehensive Ethics  
496 Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official

497 Code § 1-1161.01(10C)(A)(ii), including those contracts’ option periods or similar contract  
498 extensions or modifications, sought, entered into, or executed before the applicability date of  
499 sections 6(b)(4), (8), and (22), and (pp), 8, and 9.

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

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

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

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

510 Sec. 2001. Short title.

511 This subtitle may be cited as the “Business Recovery Task Force Act of 2020”.

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

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

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

- 517 (1) The following government members, or their designees:
- 518 (A) The Deputy Mayor for Planning and Economic Development;
- 519 (B) The Director of the Department of Small and Local Business
- 520 Development and
- 521 (C) The Chairperson of the Council’s Committee on Business and
- 522 Economic Development; and
- 523 (2) Eight representatives of business enterprises, one from each Ward, all
- 524 of whom shall be District residents, who collectively represent industries and geographical areas
- 525 hardest hit by the COVID-19 emergency, with at least one representative being an owner of an
- 526 equity impact enterprise as defined by section 2302(8A) of the Small and Certified Business
- 527 Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-
- 528 33; D.C. Official Code § 2-218.02(8A)) (“CBE Act”).
- 529 (b) The business representatives shall be appointed by the Chairman of the Council ~~from~~
- 530 after receiving recommendations made by the Chairperson of the Council Committee on
- 531 Business and Economic Development and shall serve without compensation.
- 532 (c) The Chairperson of the Task Force shall be designated by the Chairperson of the
- 533 Council’s Committee on Business and Economic Development from among the business
- 534 representatives.
- 535 (d) The Department of Small and Local Business Development (“Department”) shall
- 536 provide administrative support for the Task Force.

537 (e) If, when all the members have been appointed and the Task Force is functioning, the  
538 COVID-19 emergency is still in effect, the Task Force shall convene monthly. After the COVID-  
539 19 emergency has been lifted, the Task Force shall meet not less frequently than quarterly until  
540 dissolved.

541 Sec. 2004. Reporting requirement.

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

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

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

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

550 Sec. 2005. Definitions.

551 For the purposes of this subtitle, term:

552 (1) "COVID-19 emergency" means the public health emergencies declared in the  
553 Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of  
554 Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any  
555 extension of those declared emergencies.

556 (2) “Small business enterprise” shall have the same meaning as provided in  
557 2302(16) of the CBE Act.  
558 Sec. 2006. Sunset.

559 The Task Force shall dissolve, and this subtitle shall expire as of the date the Task Force  
560 submits the report required by section ~~2003~~2004.

561 **SUBTITLE B. NEW YORK AVENUE, N.E., RETAIL PRIORITY AREA**  
562 **EXPANSION**

563 Sec. 2011. Short title.

564 This subtitle may be cited as the “New York Avenue, N.E., Retail Priority Area  
565 Expansion Amendment Act of 2020”.

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

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

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

574 Sec. 2021. Short title.

575 This subtitle may be cited as the “Aligning Opportunity Zone Tax Benefits with DC  
576 Community Priorities Act of 2020”.

577 Sec. 2022. Chapter 18 of Title 47 of the District of Columbia Official Code is amended  
578 as follows:

579 (a) ~~Chapter 18 is amended as follows:~~

580 ~~—————(1)~~ Section 47-1801.04 is amended by adding new paragraphs (39A), (39(B),  
581 (39C), and (39D) to read as follows:

582 “(39A) “Qualified Opportunity Fund” shall have the same meaning as ~~the term is~~  
583 ~~defined set forth~~ in section 13823 of the Internal Revenue Code of 1986, approved December 22,  
584 2017 (131 Stat. 2184; 26 U.S.C. § 1400Z-2) (“section 13823”).

585 “(39B) “Qualified Opportunity Zone” shall have the same meaning as ~~the term is~~  
586 ~~defined set forth~~ in section 13823 ~~of the Internal Revenue Code of 1986.~~

587 “(39C) “Qualified Opportunity Zone Business” shall have the same meaning as  
588 ~~the term is defined set forth~~ in section 13823 ~~of the Internal Revenue Code of 1986.~~

589 “(39D) “Qualified Opportunity Zone Business property” shall have the same  
590 meaning as ~~the term is defined set forth~~ in section 13823 ~~of the Internal Revenue Code of 1986.~~”.

591 ~~—————(2b)~~ Section 47-1803.03(a) is amended by adding a new paragraph (20) to read as  
592 follows:

593 “(20) Capital Gains. --

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

597                   “(B) Reduction of capital gains tax liability through a 10% step-up in  
598 basis, if invested in a QOF for 5 years prior to December 31, 2026, and an additional 5% step-up  
599 in basis, if invested in a QOF for 7 years prior to December 31, 2026, shall be realized only if the  
600 taxpayer invests in a QOF that meets the criteria set forth in subparagraph (D) of this paragraph;

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

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

606                                 “(i) Invest in a QOF that:

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

609   “(II) Has invested at least the value of the taxpayer’s  
610 investment in the QOF in a Qualified Opportunity Zone in the District; and

611   “(III) Has submitted its IRS Form 8996 to the Office of Tax

612 and Revenue for the tax year in which the taxpayer is seeking the benefits described in  
613 subparagraphs (A), (B), and (C) of this paragraph; and

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

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

619                                   “(i) That some or all of its investments in Qualified Opportunity  
620 Zone Businesses and Qualified Opportunity Zone Business property are in businesses or property  
621 that:

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

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

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





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

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

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

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

662 “(e) Within 180 days of the end of the Fiscal Year 2020, and every year thereafter, the  
663 Department shall submit a report to detailing all loans, grants, and sub-grants issued pursuant to  
664 this section, including information on the dollar amount disbursed, recipients of financial  
665 assistance, and whether the recipient is a certified business enterprise.”.

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

667 Sec. 2041. Short title.

668 This subtitle may be cited as the “Equity Impact Enterprise Establishment Amendment  
669 Act of 2020”.

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

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

674 ~~“Part D-i. Programs for equity impact enterprises.”~~

675 “Sec. 2377. Equity impact enterprise.”

676 (b) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding a new paragraph

677 (8A) to read as follows:

678 “(8A) “Equity impact enterprise” means a business enterprise that is ~~both~~a  
679 resident-owned business and a small business enterprise that can demonstrate that it is at least  
680 51% owned by an individual who is, or a majority number of individuals who are:

681 “(A) ~~At least 51% owned by an individual who is, or a majority number of~~  
682 ~~individuals who are, e~~Economically disadvantaged individuals; or

683 “(B) Individuals who have been subjected to racial or ethnic prejudice or  
684 cultural bias because of their identity as a member of a group without regard to their individual  
685 qualities.”~~At least 51% owned by a woman or a majority of women; or~~

686 ~~“ (C) A disadvantaged business enterprise.”~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

715 “(c) Five years from the effective date of the Equity Impact Enterprise Establishment  
716 Amendment Act of 2020, ~~as introduced on May 18~~passed on 1st reading, July 7, 2020  
717 (Engrossed version of Bill 23-760), the Mayor shall evaluate the effectiveness of the equity  
718 impact enterprise program and whether or not it has resulted in creating more contracting  
719 opportunities for equity impact enterprises and submit the evaluation to the Council.

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

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

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

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

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

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

732 “Sec. 2377. Equity impact enterprise.

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

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

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

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

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

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

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

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

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

751 “In Fiscal Year 2021, ~~The the~~ Mayor shall ~~award a grant, on a competitive basis,~~  
752 ~~in an amount not to exceed \$ 1 million to contract with~~ a person or entity to conduct a District-  
753 based study (“disparity study”) to~~.”.~~”.

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

755 “(1A) All agencies with procurement authority, including independent agencies,  
756 shall coordinate with the Executive Office of the Mayor to provide timely and accurate  
757 information to assist with the completion of the disparity study.”.

758 (3) Paragraph (2) is amended by striking the phrase “270 days after October 30,  
759 2018” and inserting the phrase “~~360~~450 days after October 30, 2020” in its place.

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

761 Sec. 2051. Short title.

762 This subtitle may be cited as the “Deputy Mayor for Planning and Economic  
763 Development Limited Grant Making Authority Amendment Act of 2020”.

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

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

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

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

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

773 “(4)(A) Funds to Equity Impact Enterprises operating in Wards 5, 7, or 8 to  
774 increase economic or community development in an underserved area of the District;

775 “(B) For the purposes of this paragraph, the term “Equity Impact  
776 Enterprise” shall have the same meaning as set forth in section 2302(8A)~~pursuant to of~~ the Small  
777 and Certified Business Enterprise Development and Assistance Act of 2005, effective October  
778 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02 (8A)); ~~and~~

779 “(5) Funds to provide real property tax rebates pursuant to D.C. Official Code  
780 § 47-4665, in amount not to exceed \$3 million in a fiscal year; provided, that in Fiscal Year  
781 2021, the amount shall not exceed \$580,366.”~~—;~~

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

787 \_\_\_\_\_ (b) A new subsection (i) is added to read as follows:

788 “(i)(1) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective  
789 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), in Fiscal Year 2021, the



790 Deputy Mayor shall award a grant to a bank chartered under the laws of the District on or before  
791 March 11, 2020, in an amount of at least \$1 million for purposes that:

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

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

796                   “(2) A grantee who receives a grant pursuant to paragraph (1) of this subsection  
797 shall ~~provide a report~~submit to the Deputy Mayor by September 30, 2021, information on the use  
798 of the grant funds, including:

799                   “(A) ~~An~~ itemized description of services provided through the grant funds;

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

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

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

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 23-760

July 27, 2020

Chairman Mendelson

~~ENGROSSED ORIGINAL~~

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

811                   Sec. 2053. Section ~~§~~47-4665 of the District of Columbia Official Code is amended as  
812 follows:

813                   (a) Subsection (b) is amended by striking the phrase “shall receive,” and inserting the  
814 phrase “may receive” in its place.

815                   (b) Subsection (c)(1) is amended by striking the phrase “shall be equal” and inserting the  
816 phrase “shall be equal, subject to the availability of funds,” in its place.

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

818                                 (1) The existing language designated as paragraph (1).

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

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

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

823                   Sec. 2061. Short title.

824                   This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-~~need~~  
825 Need Affordable Housing Areas Amendment Act of 2020”.

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

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

830 “47-860. Tax abatement for affordable housing in high-need affordable housing areas.”.

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

832 “§ 47-860. Tax abatement for affordable housing in high-need affordable housing areas.

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

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

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

839 “(3) For the duration of the period set forth in subsection (c) of this section, aAt  
840 least one third of the housing units developed or redeveloped on the real property are affordable  
841 ~~to households:~~

842 ~~—————(A) To and rented by households earning 80% or less of the area median~~  
843 ~~income; and~~

844 ~~—————(B) For a period of up to 30 years, with an option to continue the~~  
845 ~~abatement for up to an additional 10 years; to and rented by households earning on average 80%~~  
846 ~~or less of the median family income; provided, that during such period no such household earns~~  
847 ~~more than 100% of the median family income;~~

848                   “(4) The developer files a covenant in the land records of the District, binding on  
849 the developer and all of its successors in interest with respect to the property, covenanting to  
850 comply with the requirements of paragraph (43) of this subsection;

851                   “(5) The developer enters into an agreement with the District that requires the  
852 developer to, at a minimum, contract with certified business enterprises for at least 35% of the  
853 contract dollar volume of the construction and operations of the project, in accordance with  
854 section 2349 of the CBE Act;

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

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

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

865                   “(c) The tax abatement provided for by this section shall begin in the tax year  
866 immediately following the tax year during which ~~a final certificate of occupancy for the~~  
867 ~~affordable housing developed as part of a project meeting the requirements of subsection (a) of~~

868 ~~this section is issued~~ the certificate of occupancy was issued for the final housing unit counted  
869 toward satisfying the affordability requirement of subsection (a)(3) of this section and shall  
870 continue until the end of the 30th tax year after the tax year during which such ~~final~~ certificate of  
871 occupancy is issued; provided, that the Mayor may opt to continue the tax abatement provided  
872 for by this section until the end of the 40th tax year after the tax year during which such  
873 certificate of occupancy is issued; provided further, that the tax abatement provided for by this  
874 section shall not begin before October 1, 2023.

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

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

879 “(B) The date the ~~final~~ certificate of occupancy was issued for the final  
880 affordable housing unit developed on the real property counted toward satisfying the  
881 affordability requirements of subsection (a)(3) of this section ~~was issued~~;

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

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

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

888                                   “(F) Any other information that the Mayor considers necessary or  
889 appropriate.

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

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

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

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

901                                   ~~“(1) “Area median income” has the meaning set forth in section 2(1) of the~~  
902 ~~Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C.~~  
903 ~~Official Code § 42-2801(1)).~~

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

907                   “(32) “Certified business enterprise” means a business enterprise or joint venture  
908 certified pursuant to the CBE Act.

909                   “(43) “Developer” means the ~~developer~~ owner of housing units on real property  
910 eligible for a tax abatement under this section.

911                   “(54) “First Source Act” means the First Source Employment Agreement Act of  
912 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2- 219.03).

913                   “(65) “First Source Agreement” means an agreement with the District governing  
914 certain obligations of the Developer pursuant to section 4 of the First Source Act, and Mayor’s  
915 Order 83-265, dated November 9, 1983, regarding job creation and employment.

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

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

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

927           **SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP**

928           Sec. 2071. Short title.

929           This subtitle may be cited as the “Healthcare Workforce Partnership Establishment Act of  
930 2020”.

931           Sec. 2072. Definitions

932                   (1) “HWI grant” means the grant awarded to the Intermediary pursuant to section  
933 3.

934                   (2) “Intermediary” means the entity selected to be the Healthcare Workforce  
935 Intermediary pursuant to section 3.

936                   (3) “Partnership” means the Healthcare Workforce Partnership established  
937 pursuant to section 5.

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

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

941                   (6) “WIOA” means the Workforce Innovation Opportunity Act, approved July 22,  
942 2014 (128 Stat. 1425; 29 U.S.C. 3101 *et seq.*).

943                   ~~(6) “WIC” means the Workforce Investment Council.~~

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



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

948 (2) Consistent with Grant Administration Act of 2013, effective December 24,  
949 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the WIC shall issue multi-year  
950 grants for a period of 4 years, subject to the availability of funds.

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

952 (1) Be a non-profit organization, industry association, or community-based  
953 organization; and

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

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

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

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

959 (1) Provide technical assistance to the Partnership through the Intermediary,  
960 which may include:

961 (A) Assisting the Partnership in obtaining data and information from  
962 District agencies;

963 (B) Providing the Partnership with customized labor market and economic  
964 analysis;

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

966 (D) Providing the Partnership with information on the number of District  
967 residents that training providers have the capacity to train in healthcare occupations;

968 (2) Submit, to the Partnership for feedback, the proposed statement of work for  
969 any grant solicitation for the provision of training at least 30 days before issuing the request for  
970 proposals; and

971 (3) Use the Partnership's Healthcare Occupations Reports to align District  
972 government funded workforce development training with current and future healthcare sector  
973 hiring needs in the District.

974 Sec. 2074. Intermediary duties.

975 The Intermediary shall:

976 (1) By July 1, 2021:

977 (A) Appoint members to the Partnership consistent with the criteria  
978 specified in section 2075(b)(3);

979 (B) Convene at least 4 Partnership meetings;

980 (C) Compose and transmit to the WIC the Partnership's first Healthcare  
981 Occupations Report, described in section 2075(e);

982 (2) For the duration of the grant:

983 (A) Provide administrative support to the Partnership;

984 (B) Convene Partnership meetings at least quarterly;

985 (C) Compile and transmit to the WIC feedback from the Partnership on  
986 any statement of work for a proposed grant solicitation for the provision of training no more than  
987 15 days after receiving the statement of work pursuant to section 2073(d)(2);

988 (D) Work with the Partnership to coordinate and ensure provision of  
989 career coaching, screening and referral services, practice interviews, and job fairs for healthcare  
990 sector employment for qualified District training graduates;

991 (E) Facilitate requests for professional development and learning  
992 opportunities for training providers and training participants at healthcare facilities;

993 (F) Annually, compose and transmit the Partnership's Healthcare  
994 Occupations Report, described in section 2075(e); and

995 (G) Perform additional duties on behalf of the Partnership consistent with  
996 the purposes of this subtitle and as funds permit; and

997 (3) During the fourth year of the HWI grant, raise private funds equal to the value  
998 of the HWI grant for that year, which the Intermediary shall reserve for use until after the  
999 expiration of the HWI grant in order to sustain the Partnership without dedicated District  
1000 government funding.

1001 Sec. 2075. Healthcare Workforce Partnership.

1002 (a) The Intermediary shall establish the Healthcare Workforce Partnership, which shall  
1003 work to increase the number of District residents employed in the healthcare sector and to meet

1004 the staffing needs of District healthcare employers, particularly of hospitals that receive District  
1005 government funds.

1006 (b)(1) The Director of the WIC, or his or her designee, shall serve as a member of the  
1007 Partnership.

1008 (2) The Intermediary shall serve as a member of the Partnership and shall appoint  
1009 community members in consultation with the WIC.

1010 (3) Community members, the majority of which shall be healthcare sector  
1011 employers, shall consist of the following:

1012 (A) At least 5 employer representatives of the District's healthcare sector,  
1013 which shall represent a variety of healthcare disciplines;

1014 (B) At least one representative of a healthcare industry trade association;

1015 (C) At least one representative from a labor organization that represents  
1016 healthcare workers;

1017 (D) At least one representative from a non-profit organization that offers  
1018 training programs; and

1019 (E) At least one representative from an adult education integrated  
1020 education and training program, as defined in 34 C.F.R. § 463.35, in the healthcare sector.

1021 (c) Community members shall serve for the duration of the HWI grant and may be  
1022 reappointed.

1023 (d) The Partnership shall meet at least once each quarter for the duration of the HWI  
1024 grant;

1025 (e) No later than July 1, 2021, and annually thereafter in advance of the start of a new  
1026 fiscal year, the Partnership shall submit to the WIC, through the Intermediary, its Healthcare  
1027 Occupations Report, which shall contain the following:

1028 (1) Recommendations of 3 to 5 healthcare occupations requiring less than a  
1029 bachelor's degree, which may include occupations for which incumbent workers may be  
1030 upskilled, in which the District should invest in training;

1031 (2) A summary of the occupational hiring needs of hospitals receiving or  
1032 committed to receive District government funds, including an estimate of the number of workers  
1033 needed, disaggregated by healthcare occupation;

1034 (3) A recommendation ~~on~~of the number of District residents the WIC should  
1035 train in the occupations identified pursuant to paragraph (1) of this subsection;

1036 (4) A list of occupational skills required to obtain employment in the occupations  
1037 identified pursuant to paragraph (1) of this subsection;

1038 (5) Recommendations of curricula for training in the occupations identified  
1039 pursuant to paragraph (1) of this subsection;

1040 (6) An explanation of the feasibility of providing virtual training or distance  
1041 learning, and recommendations to implement virtual training;

1042 (7) Customized healthcare career pathway maps for the occupations identified  
1043 pursuant to paragraph (1) of this subsection;

1044 (8) Recommendations of strategies and tactics to increase the capacity of training  
1045 providers to train District residents; and

1046 (9) Recommendations to attract District resident to, and retain District residents  
1047 in, the occupations identified pursuant to paragraph (1) of this subsection, including necessary  
1048 tactics to increase candidates' hard and soft skills and to reduce barriers to employment.

1049 Sec. 2076. Establishment of a healthcare training program.

1050 (a) By September 1, 2021, the WIC shall establish a healthcare training program  
1051 ("program") to fund or arrange for training of District residents in a minimum of 2 healthcare  
1052 occupations identified in the Partnership's first Healthcare Occupations Report (~~"report"~~), issued  
1053 pursuant to section 2075(e)(~~1~~), which may include one occupation for upskilling of incumbent  
1054 workers.

1055 (b) To provide training, the WIC may:

1056 (1) Issue healthcare training grants ("grants") to train providers, pursuant to  
1057 section 4(c) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000  
1058 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)); or

1059 (2) Partner with the University of the District of Columbia Community College or  
1060 Office of the State Superintendent of Education.

1061 (c)(1) If the program includes a grant, subject to availability of funds, each grant shall be  
1062 for not less than \$100,000 per year for 3 years to provide training for District residents.

1063 (2) To be eligible for a grant, a grantee shall:

1064 (A) Be licensed by the Higher Education Licensure Commission as a  
1065 post-secondary institution, degree or non-degree seeking;

1066 (B) Agree to utilize the training curricula recommended by the Partnership  
1067 pursuant to section ~~4XX52075~~(e)(5); and

1068 (C) Demonstrate consistent successful attainment of the following  
1069 benchmarks for its training participants:

1070 (i) Completion of training;

1071 (ii) Credential attainment;

1072 (iii) Unsubsidized employment in the occupation of training; and

1073 (iv) Retention of employment for 6 months or longer in the  
1074 occupation of training.

1075 (3) Preference shall be given to grant applicants utilizing an integrated education  
1076 and training model, as defined 34 C.F.R. § 463.35.

1077 (d)(1) The WIC shall utilize WIOA common performance measures to track program  
1078 performance.

1079 (2) The WIC shall report on the performance of the program as required by  
1080 section 102 of the Workforce Development System Transparency Amendment Act of 2018,  
1081 effective May 5, 2018 (D.C. Law 22-95; D.C. Official Code § 32-1622).

1082 (e) The WIC shall make its best effort to use WIOA Title I funds to issue any grants  
1083 authorized in this section.

1084 Sec. 2077. Monitoring and evaluation.

1085 By August 1, 2021, and annually thereafter, the WIC shall transmit to the Mayor and the  
1086 Council the Healthcare Occupation Report developed by the Partnership pursuant to section  
1087 2075(e).

1088 **SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER**

1089 **ENGAGEMENT**

1090 Sec. 2081. Short title.

1091 This subtitle may be cited as the “DC Infrastructure Academy Employer Engagement  
1092 Amendment Act of 2020”.

1093 Sec. 2082. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-  
1094 46; D.C. Official Code § 32-241 *et seq.*), is amended as follows:

1095 (a) Section 2 (D.C. Official Code § 32-241) is amended as follows:

1096 (1) A new subsection (1A) is added to read as follows:

1097 “(1A) “Committees” means the Industry Advisory Committees established  
1098 pursuant to section 2f.”.



1099 (2) A new subsection (2A) is added to read as follows:

1100 “(2A) “DCIA” means the DC Infrastructure Academy established by the Mayor.”.

1101 (b) Section 2a(a-2) (D.C. Official Code § 32-242(a-2)) is repealed.

1102 (c) New sections 2e and 2f are added to read as follows:

1103 “Sec. 2e. DC Infrastructure Academy.

1104 “(a) In addition to duties the Mayor prescribes, the DCIA shall:

1105 “(1)~~(A)~~ Provide occupational skills training (“skills training”) annually in

1106 industries for which there is significant demand regionally or by a major employer, including the

1107 construction, infrastructure, and information technology~~industries.~~

1108 ~~“(B) DCIA may provide skills training in additional industries for which~~

1109 ~~there is significant demand regionally or by a major employer.~~

1110 “(2) Provide occupational skills training designed to meet the needs of employers

1111 by:

1112 “(A) Aligning skills training, where appropriate, with the annual

1113 recommendations the Committees submit to DCIA pursuant to section 2f(c);

1114 “(B)(i) Submitting a proposed curriculum, at least 30 calendar days prior

1115 to the start of any skills training taught by DCIA staff, to the relevant Committee for its

1116 feedback; and

1117                                   “(ii) Taking into consideration any feedback from a Committee  
1118 when ~~Implementing~~ ~~implementing~~ any skills trainings taught by DCIA staff ~~consistent with any~~  
1119 ~~feedback received from a Committee~~;

1120                                   “(C)(i) Submitting to the relevant Committee, at least 30 calendar days  
1121 before soliciting applications or bids on a grant or contract to provide skills training, a request  
1122 that the Committee review a grant or contract solicitation’s proposed scope of work;

1123                                   “(ii) Considering any feedback received from a Committee when  
1124 Preparing ~~preparing~~ statements of work for grants and contracts to provide skills training ~~that are~~  
1125 ~~consistent with any feedback received from a Committee~~;

1126                                   “(D) For any customized skills training provided specifically for a  
1127 particular employer, seeking input from the employer consistent with the requirements outlined  
1128 in subparagraphs (B) and (C) of this paragraph.

1129                                   “(3) Provide test preparation sessions and practice exams to ready participants to  
1130 obtain the occupational credentials the Committees identify in their annual reports pursuant to  
1131 section 2f(c)(4); and

1132                                   “(4) Provide job referrals, as defined in 20 C.F.R. § 651.10, to employers in the  
1133 industry sectors in which training is offered pursuant to identified in paragraph (1) of this  
1134 subsection for all qualified graduates of DCIA training programs.

1135                                   “(b) DCIA skills training may include:

1136                   “(1) Training services enumerated in section 134(c)(3)(D) of the Workforce  
1137 Innovation and Opportunity Act-~~of~~, approved July 22, 2014 (128 Stat. 1529; 29 U.S.C. §  
1138 3174(c)(3)(D));

1139                   “(2) Supportive services, as defined in 20 C.F.R. § 651.10;

1140                   “(3) Integrated education and training, as defined in 34 C.F.R. § 463.35;

1141                   “(4) Workforce preparation activities, as defined in 34 C.F.R. § 463.34; and

1142                   “(5) Job development, as defined in 20 C.F.R. § 651.10.

1143                   “(c)(1) At least 66% of the participants receiving skills training through the DCIA each  
1144 fiscal year shall be trained in occupations that pay an average wage that is at least 150% of the  
1145 minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective  
1146 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).

1147                   “(2) At least 25% of the value of each grant or contract with a skills training  
1148 provider shall be contingent on the provider achieving at least one of the following results:

1149                                 “(A) At least 75% of the provider’s participants receive an industry-  
1150 recognized credential; and

1151                                 “(B) At least 80% of the provider's participants enter permanent,  
1152 unsubsidized employment in the occupation of training.

1153                   “Sec. 2f. Industry Advisory Committees.

1154           “(a)(1) The Director shall establish Industry Advisory Committees (“Committees”) to  
1155 advise DCIA on occupational skills training offerings with the goal of aligning DCIA’s trainings  
1156 with industry hiring needs.

1157           “(2) There shall be one committee per industry sector in which DCIA offers  
1158 occupational skills training pursuant to section 2e(a)(1).

1159           “(3) Each Committee shall consist of representatives of at least 2 employers from  
1160 the relevant industry sector, whom the Director shall appoint.

1161           “(4)(A) The Director shall make initial appointments to the Committees within 30  
1162 days of the effective date of this subtitle.

1163           “(B) Committee members shall disclose all existing and potential conflicts  
1164 of interest to the Director. No committee member may, in any manner, directly or indirectly,  
1165 participate in a deliberation upon, or the determination of, any question affecting the financial  
1166 interest of any corporation, partnership, or association in which the member or a member of the  
1167 member’s family is directly or indirectly interested. Committee members shall disclose the  
1168 nature of any financial or personal relationships with any training providers by completing a  
1169 conflict of interest form.

1170           “(b) No later than December 15, 2020, and annually thereafter in advance of the start of a  
1171 new fiscal year, each Committee shall submit written recommendations to DCIA, which shall  
1172 contain the following:

1173                   “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA  
1174 should offer;

1175                   “(2) ~~The n~~Number of District residents DCIA should train in the occupations  
1176 identified pursuant to paragraph (1) of this subsection;

1177                   “(3) Occupational skills required to obtain employment in the occupations  
1178 identified pursuant to paragraph (1) of this subsection;

1179                   “(4) A description of tools, equipment, and services necessary to conduct  
1180 trainings to acquire the skills identified in paragraph (3) of this subsection;

1181                   “(5) Industry-recognized credentials required for obtaining employment in the  
1182 occupations identified pursuant to paragraph (1) of this subsection, when appropriate; and

1183                   “(6) The feasibility of providing virtual training or distance learning and  
1184 recommendations to implement virtual training.

1185                   “(c) After receiving a proposed training curriculum from the DCIA pursuant to section  
1186 2e(a)(2)(B)(i), a Committee shall provide the DCIA with a written explanation of recommended  
1187 modifications, if any.

1188                   “(d) Within 30 calendar days after receiving a proposed scope of work for a grant or  
1189 contract from DCIA pursuant to section 2e(a)(2)(C)(i), the Committee shall provide DCIA with a  
1190 written explanation of recommended modifications, if any.”.

1191                   **SUBTITLE J. WORKPLACE LEAVE NAVIGATORS**

1192                   Sec. 2091. Short title.

1193 This subtitle may be cited as the “Workplace Leave Navigators Program Establishment  
1194 Amendment Act of 2020”.

1195 Sec. 2092. Definitions.

1196 For the purposes of this subtitle, the term:

1197 (1) “Director” means the director of DOES.

1198 (2) “DOES” means the Department of Employment Services.

1199 (3) “Family and medical leave” means leave available under the District of  
1200 Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181;  
1201 D.C. Official Code § 32-501 *et seq.*).

1202 (4) “Paid sick leave” means leave available under the Accrued Sick and Safe  
1203 Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01  
1204 *et seq.*).

1205 (5) “Universal paid leave” means leave benefits available under the Universal  
1206 Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official  
1207 Code § 32-541.01 *et seq.*).

1208 (6) “Workplace leave” means universal paid leave, paid sick leave, family and  
1209 medical leave, or any other job-protected leave to which an individual may be entitled under  
1210 federal or District law.

1211 Sec. 2093. Workplace Leave Navigators Program.

1212 (a) There is established a Workplace Leave Navigators Program (“Program”), which the  
1213 Director shall administer.

1214 (b) The Program shall be funded with monies from the Universal Paid Leave  
1215 Administration Fund, established pursuant to section 1153 of the Universal Paid Leave  
1216 Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020 (Engrossed version of  
1217 Bill 23-760).

1218 (c) The Program shall provide funds to:

1219 (1) Organizations with demonstrated experience representing employees in  
1220 matters related to workplace leave solely for the purpose of specific assistance to individuals in  
1221 obtaining their workplace leave and benefits; and

1222 (2) Nonprofit organizations, businesses, or professional or trade associations with  
1223 experience representing or assisting employers with the administration or understanding of  
1224 workplace leave laws for the purpose of providing assistance to employers to share best practices  
1225 or guidance regarding how to:

1226 (A) Coordinate and accommodate different types of workplace leave,  
1227 along with employer-sponsored disability plans; and

1228 (B) Ensure compliance with workplace leave laws.

1229 (d)(1) Program funds issued to organizations for the purposes described in subsection

1230 (c)(1) of this section:

1231 (A) Shall be used solely to assist individuals with:

- 1232 (i) Filing an initial claim for universal paid leave;
- 1233 (ii) Determining the type of workplace leave or employer--offered  
1234 leave, including an employer-sponsored disability plan, for which an individual may be eligible;
- 1235 (iii) Filing an administrative complaint related to the provision of  
1236 workplace leave, including a complaint of retaliation;
- 1237 (iv) Responding to or appealing an initial administrative decision  
1238 or determination related to workplace leave; or
- 1239 (v) Providing an employer with appropriate documentation  
1240 supporting a request for workplace leave; and
- 1241 (B) May be used to provide training and guidance to medical providers or  
1242 healthcare trade or professional associations on the requirements of workplace leave laws  
1243 pertaining to documentation supporting the need for leave.
- 1244 (2) Program funds issued to non-profits, businesses, or professional or trade  
1245 associations assisting employers for the purposes described in subsection (c)(2) of this section:
- 1246 (A) Shall be used to:
- 1247 (i) Assist employers with coordinating the employer's workplace  
1248 leave programs, including employer-sponsored disability plans, with workplace leave laws;  
1249 provided, that Program funds shall not be used to decide an employee's eligibility for a  
1250 workplace leave program or for the pre-adjudication of a workplace leave claim;



1251 (ii) Provide guidance, including best practices, to an employer on  
1252 what an employer must do to comply with District and federal workplace leave laws and  
1253 regulations;

1254 (iii) Aid employers in responding to DOES's request for  
1255 information from the employers, including requests related to claim determinations made by  
1256 DOES;

1257 (iv) Responding to an administrative complaint related to the  
1258 provision of workplace leave; provided, that Program funds shall not be used to respond to a  
1259 complaint of retaliation;

1260 (v) Responding to or appealing an initial administrative decision or  
1261 determination related to workplace leave; and

1262 (B) May be used to provide training and guidance to medical providers or  
1263 healthcare trade or professional associations on the requirements of workplace leave laws.

1264 (e) Funds for the Program may not be used to prosecute or defend claims in a lawsuit  
1265 related to the provision of workplace leave.

1266 (f)(1) The Director shall issue Program funds through competitive grants administered  
1267 pursuant to the requirements set forth in the Grant Administration Act of 2013, effective  
1268 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and section 2(b-1)  
1269 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23,  
1270 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05(b-1)).

1271 (2) The Director shall issue an initial Request for Applications no later than  
1272 October 31, 2020, and annually thereafter. The Director may issue multi-year grants, subject to  
1273 the availability of appropriations.

1274 (3) In a fiscal year, the amount of grants the Director issues for the purposes  
1275 described in subsections (c)(1) and ~~(e)(2)~~ of this section shall account for the need ~~for~~ each  
1276 such purpose, based on the potential numbers of employees and employers to be served.

1277 **SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM**

1278 ~~Sec. tion~~ 2101. Short title.

1279 This subtitle may be cited as the “School Year Internship Pilot Program Amendment Act  
1280 of 2020”.

1281 ~~Section~~ Sec. 2102. Section 2a(a) of the Youth Employment Act of 1979, effective  
1282 January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)), is amended by adding a new  
1283 paragraph (2A) to read as follows:

1284 “(2A)(A) School year internship pilot. — In Fiscal Year 2021, a pilot program  
1285 called the School Year Internship Pilot Program (“Program”) for 250 District high school  
1286 students to provide work-based learning opportunities during the school year.

1287 “(B)(i) High school students~~Students from District high schools,~~ including  
1288 students from public schools, public charter schools, ~~and~~ private schools, and students who are  
1289 homeschooled, who are not otherwise participating in an internship, in-school youth  
1290 employment, or a work readiness program may apply to the Department of Employment Services

1291 (“DOES”) to be matched with an internship host through the Program; provided, that a student  
1292 may not otherwise participate in an internship, in-school youth employment, or a work-readiness  
1293 program.

1294 “(ii) DOES shall give the applications of at-risk students priority  
1295 over all other applications.

1296 “(iii) For the purposes of this subparagraph the term “at-risk”  
1297 means a public school, public charter school, ~~or~~ private school, or homeschool student who is  
1298 identified as one or more of the following:

1299 “(I) Homeless;

1300 “(II) In the District’s foster care system;

1301 “(III) Qualifies for the Temporary Assistance for the Needy  
1302 Families program or the Supplemental Nutrition Assistance Program; or

1303 “(IV) A high school student that is one year older, or more,  
1304 than the expected age for the grade in which the student is enrolled.

1305 “(C) DOES shall notify students of their placement with an internship host  
1306 by January 5, 2021.

1307 “(D) Interns shall remain matched with ~~work for~~ their internship host  
1308 between January 2021, and June 2021.

1309 “(E) DOES shall pay interns a training rate of \$10 per hour, which it shall  
1310 pay by way of a debit card provided to the intern or by direct deposit.

1311                           “(F)(i) Internship hosts may be non-profit organizations, public schools or  
1312 public charter schools, government agencies, or private businesses.

1313                           “(ii) Prospective internship hosts shall submit applications to  
1314 participate in the Program no later than December 1, 2020. The application shall include a  
1315 detailed job description that identifies specific tasks, projects, or duties that the intern will  
1316 perform and the name and job title of the individual who will directly supervise the intern.

1317                           “(iii) DOES shall review internship host applications and shall give  
1318 priority to applications that will engage an intern in work experience activities, rather than work  
1319 readiness activities, for the majority of an intern’s time.

1320                           “(G) DOES shall implement the Program through public-private  
1321 partnerships between the District government and an internship host that has the ability to  
1322 employ youth under the Program, subject to all federal and District laws, rules, and regulations  
1323 relating to the procurement and award of contracts, grants, or other government assistance.

1324                           “(H)(i) DOES shall develop benchmarks for interns’ growth and  
1325 development in work readiness, which internship hosts shall utilize to assess an intern’s work  
1326 readiness.

1327                           “(ii) An internship host shall provide its written assessment of an  
1328 intern’s work readiness to DOES within 30 days after the end of the internship.”.

1329           Sec. 2103. The Department of Employment Services Local Job Training Quarterly  
1330 Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official  
1331 Code § 32-771), is amended by adding a new section 2083 to read as follows:

1332           “Sec. 2083. Department of Employment Services annual report on year-round youth  
1333 programs.

1334           “(a) Starting December 15, 2020, and annually thereafter, the Department of Employment  
1335 Services (“Department”) shall publish on its website and submit to the Council a report on the  
1336 operations of its year-round youth programs, including:

1337                   “(1) The In-School Youth Program;

1338                   “(2) The Out-of-School Youth Program;

1339                   “(3) The Marion Barry Youth Leadership Institute;

1340                   “(4) Pathways for Young Adults Program;

1341                   “(5) Youth Earn and Learn Program;

1342                   “(6) The High School Internship Program;

1343                   “(7) In-school Youth Innovation Grants; and

1344                   “(8) In-school DCHR internship program.

1345           “(b) The report shall include the following information for each program from the  
1346 previous fiscal year:

1347                   “(1) The number of participants newly enrolled;

1348                   “(2) The total number of participants, disaggregated by ward, grade, school, age,  
1349 and, if known, at-risk status;

1350                   “(3) Each program’s total expenditures, disaggregated by fund type (federal,  
1351 local, Intra-district, or Special Purpose Revenue funds); and

1352                   “(4) The names of any vendors, grantees, host employers (including public  
1353 schools and public charter schools for the High School Internship Program), host sites, or other  
1354 organizations providing services to youth.

1355                   “(c) The Department may withhold from the report required pursuant to subsection (b) of  
1356 this section any information precluded from release by federal law, rule, or policy; provided,  
1357 that, if at a later time, such information may be released, the Department shall supplement the  
1358 next annual report following the date on which the information may be shared with the withheld  
1359 information.

1360                   “(d) For the purposes of this section, the term “at-risk” means a public school, public  
1361 charter school, ~~or~~ private school, or homeschool student who is identified as one or more of the  
1362 following:

1363                   “(1) Homeless;

1364                   “(2) In the District’s foster care system;

1365                   “(3) Qualifies for the Temporary Assistance for the Needy Families program or  
1366 the Supplemental Nutrition Assistance Program; or

1367 “(4) A high school student that is one year older, or more, than the expected age  
1368 for the grade in which the student is enrolled.”.

1369 **SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION**

1370 Sec. 2111. Short title.

1371 This subtitle may be cited as the “Unemployment Insurance Modernization Requirements  
1372 Act of 2020”.

1373 Sec. 2112. Unemployment insurance modernization requirements.

1374 (a) The Department of Employment Services (“DOES”) shall launch an integrated, fully  
1375 modernized, and fully functioning unemployment insurance information technology benefits and  
1376 tax system (“benefits system”) for public use no later than September 30, 2022.

1377 (b) The benefits system shall include an internet accessible public interface that:

1378 (1) Can be accessed from all major internet browsers and used on mobile devices  
1379 and personal computers;

1380 (2) Is accessible to people with disabilities in compliance with section 504 of the  
1381 Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 394; 29 U.S.C. § 794), and  
1382 ~~title~~Title II of the Americans with Disabilities Act, approved July 26, 1990 (104 Stat. 337; 42  
1383 U.S.C. § 12131 *et seq.*); and

1384 (3) Complies with the Language Access Act of 2004, effective March 14, 2007  
1385 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

1386 (c)(1) The Office of Contracting and Procurement (“OCP”), in consultation with DOES,  
1387 should issue a Request for Proposals for the full modernization of the benefits system, consistent  
1388 with the requirements of subsections (a) and (b) of this section, no later than October 30, 2020.

1389 (2) The OCP should award a contract for the full modernization of the benefits  
1390 system no later than January 15, 2021.

1391 Sec. 2113. (a) Beginning no later than 15 days after the effective date of this subtitle, on  
1392 any day when American Job Centers are closed (excluding weekends, holidays, and staff training  
1393 days), the Department of Employment Services (“DOES”) shall provide the following materials  
1394 at its headquarters from 8:30 a.m. to 5:00 p.m.:

1395 (1) Hard copies of unemployment insurance benefits applications, with hard  
1396 copies of all instructions that are available online for completing the application;

1397 (2) Hard copies of DOES complaint forms for violations of District labor laws,  
1398 including wage and hour, accrued paid sick time, and workers’ compensation laws, with hard  
1399 copies of all instructions that are available online for completing each form;

1400 (3) Envelopes individuals may use in submitting their applications and complaint  
1401 forms, with space on the outside to identify the form being submitted; and

1402 (4) A locked box with a slot into which individuals may deposit their completed  
1403 applications and complaint forms.

1404 (b) The DOES shall make the materials identified in subsection (a) of this section  
1405 available in a location at its headquarters that is publicly and handicap accessible.



1406           **SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY**

1407           Sec. 2121. Short title.

1408           This subtitle may be cited as the “District Government Transgender and Non-Binary  
1409 Employment Study Act of 2020”.

1410           Sec. 2122. The District of Columbia Government Comprehensive Merit Personnel Act of  
1411 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*) is  
1412 amended by adding a new Title VII-B to read as follows:

1413           “TITLE VII-B GENDER IDENTITY STUDY

1414           “Sec. 760. Definitions.

1415           “For the purposes of this title, the term:

1416                   “(1) “Cisgender” means individuals whose sex assigned at birth matches the  
1417 individual’s perceived gender.

1418                   “(2) “Gender identity” means an individual’s internal sense of the individual’s  
1419 gender, which may be the same as or different from sex assigned at birth and can include male,  
1420 female, neither, or both.

1421                   “(3) “Non-binary” includes individuals whose gender identity is neither entirely  
1422 male nor entirely female, or varies between the two.

1423                   “(4) “Transgender” includes individuals whose gender identity or expression is  
1424 different from that typically associated with their assigned sex at birth.

1425           “Sec. 761. Study of transgender and non-binary employment.

1426           “(a) The Mayor shall contract with an entity to conduct a study of employment data,  
1427 hiring and recruitment practices, and workplace climate in District government agencies in  
1428 relation to people who are transgender or non-binary. At a minimum, the study shall include:

1429                   “(1) A census of employees who identify as transgender or non-binary, including  
1430 information on the employees’ race and ethnicity, gender identity, and age;

1431                   “(2) A review of District government agencies’ transgender and non-binary  
1432 inclusion policies, including policies developed under the Human Rights Act of 1977, effective  
1433 December 13, 1977, (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*); (“Human Rights  
1434 Act”), and any regulations promulgated pursuant to the Human Rights Act, and an evaluation of  
1435 the extent to which District government agencies have implemented such polices and how  
1436 transgender and non-binary employees experience such polices;

1437                   “(3) An evaluation of District government agencies’ actual recruitment, hiring,  
1438 retention, and promotion practices related to prospective and current transgender and non-binary  
1439 employees;

1440                   “(4) An analysis of any disparities in earnings, title, pay grade, length of time in  
1441 position, and educational attainment between employees who identify as transgender or non-  
1442 binary and employees who identify as cisgender;

1443                   “(5) An assessment of transgender and non-binary employees’ workplace  
1444 experiences as employees of District government agencies, including experiences of  
1445 discrimination, harassment, or mistreatment on the job; and

1446                   “(6) An evaluation of data, including participant demographics and program  
1447 outcomes, for transgender or non-binary participants in the Department of Employment Services’  
1448 job training programs; and

1449                   “(7) Recommendations for District government agencies on improving  
1450 employment and hiring practices as they relate to individuals who are transgender or non-binary.

1451                   “(b) The contractor may survey employees to gather data for the purposes of the study.

1452                   “(c) The contractor completing the study shall:

1453                   “(1) Have, or partner with another entity with, experience studying and  
1454 knowledge of sexual orientation and gender identity;

1455                   “(2) Include a statement in requests for information and surveys sent to employees  
1456 explaining that providing information is voluntary;

1457                   “(3) Ensure the privacy, dignity, and confidentiality of employees;

1458                   “(4) Not disclose, or retain after the study is complete, personally identifiable  
1459 information gathered in the course of the study; and

1460                   “(5) Consult with the Office of Human Rights in developing a detailed proposed  
1461 plan of the study, surveys to be administered, and any resulting recommendations from the  
1462 entity.

1463                   “(d) The Mayor may use electronic communication tools, including e-mail, to facilitate  
1464 the contractor’s outreach to District government employees.

1465                   “(e) The Mayor shall:

1466                   “(1) Review the contractor’s proposals and recommendations to ensure they are  
1467 consistent with the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38;  
1468 D.C. Official Code § 2–1401.01 *et seq.*);

1469                   “(2) Review data, with personally identifiable information removed, on  
1470 harassment and discrimination complaints filed by transgender and non-binary employees  
1471 against District government agencies since January 1, 2015;

1472                   “(3) Provide the contractor with the information necessary to facilitate subsection  
1473 (a) of this section; and

1474                   “(4) Submit a final report with findings and recommendations to the Council no  
1475 later than December 31, 2021. The final report submitted to the Council shall not contain any  
1476 personally identifiable information.”.

1477                   **SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION**

1478                   Sec. 2131. Short title.

1479                   This subtitle may be cited as the “Tipped Workers Fairness Clarification Amendment Act  
1480 of 2020”.

1481                   Sec. 2132. The Tipped Wage Workers Fairness Amendment Act of 2018, effective  
1482 December 13, 2018 (D.C. Law 22-196; D.C. Official Code § 32-161 *et seq.*), is amended as  
1483 follows:

1484                   (a) Section 3 (D.C. Official Code § 32-161) is amended as follows:

1485                   (1) Subsection (a)(1) is amended as follows:

1486 (A) The lead-in language is amended by striking the phrase “By April 1,  
1487 2020” and inserting the phrase “Within 120 days after the date this section becomes applicable”  
1488 in its place.

1489 (B) Subparagraph (F) is repealed.

1490 (2) Subsection (b) is amended as follows:

1491 (A) Paragraph (1) is amended as follows:

1492 (i) The lead-in language is amended by striking the phrase “By  
1493 April 1, 2020” and inserting the phrase “Within 120 days after the date this section becomes  
1494 applicable” in its place.

1495 (ii) Subparagraph (B) is amended to read as follows:

1496 “(B) The following text formatted in a large font and for maximum  
1497 readability, including the use of bullet points to call out each specified right on a separate line:

1498 “EMPLOYEE RIGHTS IN THE DISTRICT OF COLUMBIA: Do you know your rights  
1499 as an employee working in Washington, D.C.? Employees have the right:

- 1500 • To be paid at least the minimum wage;
- 1501 • To be paid on time;
- 1502 • To receive a detailed pay stub;
- 1503 • To accrue and use paid sick and safe leave;
- 1504 • To request time off to attend a child’s school-related activities;
- 1505 • To qualify for unpaid family and medical leave;

- 1506       • To be compensated for work-related illness or injury;
- 1507       • To remain free from discrimination;
- 1508       • To be accommodated in the workplace during pregnancy;
- 1509       • To remain free from employer retaliation for discussing or exercising any of these rights;
- 1510       and
- 1511       • To file a complaint for violation of workplace rights with the Department of Employment
- 1512       Services (DOES) or the Office of Human Rights (OHR~~);~~).

1513 To learn about these and other workplace rights, visit the website below. This notice does not

1514 create, expand, or limit rights under District or federal law~~;~~ ~~“”~~ ~~“”~~.

1515               (B) Paragraph (2) is amended by striking the phrase “The poster” and

1516 inserting the phrase “Below the text required pursuant to paragraph (1)(B) of this subsection, the

1517 poster” in its place.

1518               (3) Subsection (d)(6) is repealed.

1519               Sec. 2133. The Minimum Wage Act Revision Act of 1992, effective March 11, 2014

1520 (D.C. Official Code § 32-1001 *et seq.*) is amended as follows:

1521               (a) Section 10a (D.C. Official Code § 32-1009.01) is amended as follows:

1522                       (1) Subsection (a) is amended to read as follows:

1523                       "(a)(1) As of January 1, 2020, the third-party payroll businesses required pursuant

1524 to section 9(a-1) to process payroll for an employer that employs a tipped worker and hotel

1525 employers that employ a tipped worker shall submit a quarterly wage report for the preceding  
1526 calendar quarter to the Mayor no later than 30 days after the end of each calendar quarter.

1527           “(2) Each quarterly wage report shall certify that each tipped worker was paid at  
1528 least the required minimum wage, including gratuities, and shall include the following:

1529                   “(A) Itemized, for each tipped worker, the worker’s:

1530                           “(i) Name;

1531                           “(ii) Average hourly wage received per week during the quarter;

1532                           “(iii) Total hours worked at or above the minimum hourly wage  
1533 established under section 4(f) per week;

1534                           “(iv) Gross wages received per week; and

1535                           “(v) Total gratuities received per week.

1536                   “(B) For a hotel employer, a certification that all of the information in the  
1537 report is accurate;

1538                   “(C) For a third-party payroll business, a certification that the information  
1539 in the report was generated using the same payroll data used to generate the information required  
1540 to be furnished to employees pursuant to section 9(b); and

1541                   “(D) If tips were shared, a copy of the employer’s tip-sharing policy used  
1542 during the quarter, unless the third-party payroll business and the employer have agreed that the  
1543 employer will submit the tip-sharing policy, in which case, a certification that such an agreement  
1544 was in place during the calendar quarter.

1545                   “(3)(A) An employer that agrees to submit its tip-sharing policy directly to the  
1546 Mayor shall submit the policy to the Mayor no later than 30 days after the end of each calendar  
1547 quarter.

1548                   “(B) If the Mayor does not receive the tip-sharing policy of an employer  
1549 that employs a tipped worker by the submission deadline for quarterly wage reports, the Mayor  
1550 shall presume that the employer did not have a tip-sharing policy in place during the calendar  
1551 quarter.”.

1552                   (2) Subsection (b)(2) is amended to read as follows:

1553                   “(2) A person required to submit documents pursuant to subsection (a) of this  
1554 section shall submit the documents online through the Internet-based portal, unless the Mayor  
1555 exempts the person from online reporting because it creates a hardship for the person, in which  
1556 case, the person shall submit the documents in hard-copy form.”.

1557                   (3) A new subsection (d) is added to read as follows:

1558                   “(d) For the purposes of this section the term “tipped worker” means an employee  
1559 paid in accordance with section 4(f).”.

1560                   (b) Section 12(d)(1) (D.C. Official Code § 32-1011(d)(1)) is amended by adding a new  
1561 subparagraph (E-i) to read as follows:

1562                   “(E-i) \$500 against an employer for each failure to timely submit the  
1563 quarterly wage report required pursuant to section 10a, in its entirety, unless the employer proves



1564 that it used a third-party payroll business to process the relevant quarter’s payroll for the  
1565 employer.”.

1566 **SUBTITLE O. UNIVERSAL PAID LEAVE FUND**

1567 Sec. 2141. Short title.

1568 This subtitle may be cited as the “Universal Paid Leave Fund Amendment Act of 2020.”

1569 Sec. 2142. The Universal Paid Leave Implementation Fund Act of 2016, effective  
1570 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended as follows:

1571 (a) A new section 1151a is added to read as follows:

1572 “Sec. 1151a. Definitions.

1573 “For the purposes of this subtitle, the term “Act” means the Universal Paid Leave Act of  
1574 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).”.

1575 (b) Section 1152 (D.C. Code § 32-551.01) is amended as follows:

1576 (1) The section heading is amended by striking the phrase “Universal Paid Leave  
1577 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1578 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave  
1579 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1580 (3) Subsection (b) is amended to read as follows:

1581 “(b) ~~(1)~~ Money in the Fund shall be used to ~~implement the Act, which shall include~~  
1582 ~~paying for:~~

1583 ~~(A1)~~ Pay bBenefits provided under the Act; and

1584                    ~~(B2) Fund the Universal Paid Leave Administration Fund established pursuant to~~  
1585 ~~section 1153(a) in the following amounts: The cost of administering and enforcing the Act; and~~

1586 ~~————— (C) Hearing appeals of claim determinations made pursuant to the Act.~~

1587 ~~————— “(2) In a fiscal year:~~

1588                    ~~“(A) No more than 8.75% of money in the Fund for the purposes~~  
1589 ~~described in section 1153(c)(1)the funds deposited into the Fund may be used to administer the~~  
1590 ~~Act;~~

1591                    ~~“(B) No more than .75% of the money in the Fund for the purposes~~  
1592 ~~described in section 1153(c)(2)funds deposited into the Fund may be used to enforce the Act;~~  
1593 ~~and~~

1594                    ~~“(C) No more than 0.5% of the money in the Fund for the purposes~~  
1595 ~~described in section 1153(c)(3)funds deposited into the Fund may be used to hear appeals of~~  
1596 ~~claim determinations pursuant to section 108(a)-(c) of the Act.~~

1597                    ~~“(3) Amounts appropriated annually for the purposes described in paragraph (2)~~  
1598 ~~of this subsection shall be deposited in the Universal Paid Leave Administration Fund,~~  
1599 ~~established pursuant to section 1153.”.~~

1600 ~~————— (4) Subsection (f) is amended by striking the period and inserting the phrase “and~~  
1601 ~~the Workplace Leave Navigators Program established pursuant to the Workplace Leave~~  
1602 ~~Navigators Program Establishment Amendment Act of 2020, passed on 1st reading on July 7,~~  
1603 ~~2020 (Bill 23-760).” in its place.~~

1604 (c) A new section 1153 is added to read as follows:

1605 “Sec. 1153. Universal Paid Leave Administration Fund.

1606 “(a) There is established as a special fund the Universal Paid Leave Administration Fund  
1607 (“Fund”), which shall be administered by the Department of Employment Services (“DOES”) in  
1608 accordance with subsections (c), (d), (e), and (f) of this section.

1609 “(b) Pursuant to section 1152(b)(2), aAmounts appropriated from the Universal Paid  
1610 Leave Fund annually for the purposes described in subsection (c) of this section,~~from the~~  
1611 ~~Universal Paid Leave Fund, pursuant to section 1152(b)(3),~~ shall be deposited in the Fund.

1612 “(c) Money in the Fund shall be used for the following purposes:

1613 “(1) Administration of the Act by DOES, including public education, pursuant to  
1614 section 106(j) of the Act; provided, that no more than 6% of the money appropriated annually for  
1615 administration ~~of the Act~~ may be used for public education and of those public education funds, ;  
1616 ~~and provided further, that~~ at least \$500,000 ~~of the money for public education~~ shall be used to  
1617 fund the Workplace Leave Navigators Program established pursuant to section 2093 of the  
1618 Workplace Leave Navigators Program Establishment Amendment Act of 2020, passed on 1st  
1619 reading on July 7, 2020 (Bill 23-760);

1620 “(2) Enforcement of section 108(e) and section 110(a) and (b) of the Act by the  
1621 Office of Human Rights, which may include education and outreach on individuals’ rights under  
1622 the Act; and

1623                   “(3) Hearing of appeals of claim determinations by the Office of Administrative  
1624 Hearings, pursuant to section 108(a)-(c) of the Act.

1625                   “(d) Beginning no later than October 1, 2020 and by October 1 annually thereafter,  
1626 DOES shall execute a Memorandum of ~~Agreement-Understanding~~ with the Office of Human  
1627 Rights for the intradistrict transfer of funds appropriated, pursuant to subsection (c)(2) of this  
1628 section, for enforcement; provided, that DOES shall transfer funds appropriated for enforcement  
1629 to the Office of Human Rights no later than October 2 of any year even if the agencies fail to  
1630 execute a Memorandum of Understanding by October 1 of that year.

1631                   “(e) Beginning no later than October 1, 2020 and by October 1 annually thereafter, DOES  
1632 shall execute a Memorandum of ~~Agreement-Understanding~~ with the Office of Administrative  
1633 Hearings for the intradistrict transfer of funds appropriated, pursuant to subsection (c)(3) of this  
1634 section, for hearing of appeals of claim determinations; provided, that DOES shall transfer funds  
1635 appropriated for hearing of appeals of claim determinations to the Office of Administrative  
1636 Hearings no later than October 2 of any year even if the agencies fail to execute a Memorandum  
1637 of Understanding by October 1 of that year.;

1638                   “(f) Money deposited into the Fund but not expended in a fiscal year shall revert to the  
1639 Universal Paid Leave Fund, established pursuant to section 1152.”.

1640                   Sec. 2143. Conforming amendments.

1641                   The Universal Paid Leave Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C.  
1642 Official Code § 32-541.01 *et seq.*), is amended as follows:

1643 (a) Subsection 101 (D.C. Official Code § 32-541.01) is amended as follows:

1644 (1) Paragraph (10)(A) is amended by striking the phrase “Universal Paid Leave  
1645 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1646 (2) Paragraph (21) is amended by striking the phrase ~~““Universal Paid Leave~~  
1647 Implementation Fund” means the Uniform Paid Leave Implementation Fund” and inserting the  
1648 phrase ~~““Universal Paid Leave Fund” means the Universal Paid Leave Fund”~~ in its place.

1649 (b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1650 (1) The section heading is amended by striking the phrase “Universal Paid Leave  
1651 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1652 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave  
1653 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1654 (3) Subsection (b) is amended by striking the phrase “Universal Paid Leave  
1655 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1656 (4) Subsection (c) is amended by striking the phrase “Universal Paid Leave  
1657 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1658 (5) Subsection (d) is amended by striking the phrase “Universal Paid Leave  
1659 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1660 (6) Subsection (e) is amended by striking the phrase “Universal Paid Leave  
1661 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1662 (7) Subsection (f) is amended by striking the phrase “Universal Paid Leave  
1663 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1664 (c) Section 104(g)(6)(A) (D.C. Official Code § 32-541.04(g)(6)(A)) is amended by  
1665 striking the phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal  
1666 Paid Leave” in its place.

1667 (d) Section 105(a)(2) (D.C. Official Code § 32-541.05(a)(2)) is amended by striking the  
1668 phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal Paid Leave”  
1669 in its place.

1670 (e) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1)) is amended to read as  
1671 follows:

1672 “(j)(1) The Mayor shall conduct a public-education campaign, which shall be paid for out  
1673 of the Universal Paid Leave Administration Fund, pursuant to section 1153(c)(21) of the  
1674 Universal Paid Leave Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020  
1675 (Bill 23-760), to inform individuals of the benefits provided for in this act. The Workplace Leave  
1676 Navigators Program, established pursuant to section 2093 of the Workplace Leave Navigators  
1677 Program Establishment Amendment Act of 2020, passed on 1st reading on July 7, 2020 (Bill 23-  
1678 760), shall be a component of the Mayor’s public-education campaign.”

1679 (f) Section 109(c) (D.C. Official Code § 32-541.09(c)) is amended as follows:

1680 (1) Paragraph (1) is amended by striking the phrase “Universal Paid Leave  
1681 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1682                   (2) Paragraph (2) is amended by striking the phrase “Universal Paid Leave  
1683 Implementation” both times it appears and inserting the phrase “Universal Paid Leave” in its  
1684 place.

1685                   **SUBTITLE P. SHARED WORK COMPENSATION PROGRAM**

1686                   Sec. 2151. Short title.

1687                   This subtitle may be cited as the “Shared Work Compensation Program Clarification  
1688 Amendment Act of 2020”.

1689                   Sec. 2152. The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law  
1690 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

1691                   (a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

1692                   (1) Paragraph (4) is repealed.

1693                   (2) New paragraphs (4A) and (4B) are added to read as follows:

1694                   “(4A) “Health and retirement benefits” means employer-provided health benefits,  
1695 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal  
1696 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or  
1697 contributions under a defined contribution plan, as defined in section 414(i) of the Internal  
1698 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which  
1699 are incidents of employment in addition to the cash remuneration earned.

1700                   “(4B) “Participating employee” means an employee who voluntarily agrees to  
1701 participate in an employer’s shared work plan.”.

1702 (3) Paragraph (5) is amended to read as follows:

1703 “(5) “Usual weekly hours of work” means the usual hours of work per week for  
1704 full-time or part-time employees in the affected unit when that unit is operating on its regular  
1705 basis, not to exceed 40 hours and not including hours of overtime work.”.

1706 (4) Paragraph (7) is amended to read as follows:

1707 “(7) “Shared work benefits” means the unemployment benefits payable to a  
1708 participating employee in an affected unit under a shared work plan, as distinguished from the  
1709 unemployment benefits otherwise payable under the employment security law.”.

1710 (5) Paragraph (8) is amended to read as follows:

1711 “(8) “Shared work plan” means a written plan to participate in the shared work  
1712 unemployment compensation program approved by the Director, under which the employer  
1713 requests the payment of shared work benefits to participating employees in an affected unit of  
1714 the employer to avert temporary or permanent layoffs, or both.”.

1715 (b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

1716 “Sec. 4. Employer participation in the shared work unemployment compensation  
1717 program.

1718 “(a) Employer participation in the shared work unemployment compensation program  
1719 shall be voluntary.



1720           “(b) An employer that wishes to participate in the shared work unemployment  
1721 compensation program shall submit a signed application and proposed shared work plan to the  
1722 Director for approval.

1723           “(c) The Director shall develop an application form consistent with the requirements of  
1724 this section. The application and shared work plan shall require the employer to:

1725                   “(1) Identify the affected unit (or units) to be covered by the shared work plan,  
1726 including:

1727                                   “(A) The number of full-time or part-time employees in such unit;

1728                                   “(B) The percentage of employees in the affected unit covered by the plan;

1729                                   “(C) Identification of each individual employee in the affected unit by  
1730 name and social security number;

1731                                   “(D) The employer’s unemployment tax account number, and

1732                                   “(E) Any other information required by the Director to identify  
1733 participating employees;

1734                   “(2) Provide a description of how employees in the affected unit will be notified  
1735 of the employer’s participation in the shared work unemployment compensation program if such  
1736 application is approved, including how the employer will notify those employees in a collective  
1737 bargaining unit as well as any employees in the affected unit who are not in a collective  
1738 bargaining unit. If the employer will not provide advance notice of the shared work plan to

1739 employees in the affected unit, the employer shall explain in a statement in the application why it  
1740 is not feasible to provide such notice;

1741           “(3) Identify the usual weekly hours of work for employees in the affected unit  
1742 and the specific percentage by which hours will be reduced during all weeks covered by the plan.  
1743 A shared work plan may not reduce participating employees’ usual weekly hours of work by less  
1744 than 10% or more than 60%. If the plan includes any week for which the employer regularly  
1745 provides no work (due to a holiday or other plant closing), then such week shall be identified in  
1746 the application;

1747           “(4) If the employer provides health and retirement benefits to any participating  
1748 employee whose usual weekly hours of work are reduced under the plan, certify that such  
1749 benefits will continue to be provided to participating employees under the same terms and  
1750 conditions as though the usual weekly hours of work of such participating employee had not  
1751 been reduced or to the same extent as employees not participating in the shared work plan. For  
1752 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be  
1753 credited for purposes of participation, vesting, and accrual of benefits as though the participating  
1754 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer  
1755 contributions to a defined contribution plan that are based on a percentage of compensation may  
1756 be reduced due to the reduction in the participating employee’s compensation. A reduction in  
1757 health and retirement benefits scheduled to occur during the duration of a shared work plan that

1758 is equally applicable to employees who are not participating in the plan and to participating  
1759 employees does not violate a certification made pursuant to this paragraph;

1760                   “(5) Certify that the aggregate reduction in work hours under the shared work  
1761 plan is in lieu of temporary or permanent layoffs, or both, and provide a good faith estimate of  
1762 the number of employees who would be laid off in the absence of the proposed shared work  
1763 plan;

1764                   “(6) Agree to:

1765                               “(A) Furnish reports to the Director relating to the proper conduct of the  
1766 shared work plan;

1767                               “(B) Allow the Director or the Director’s authorized representatives access  
1768 to all records necessary to approve or disapprove the application for a shared work plan;

1769                               “(C) Allow the Director to monitor and evaluate the shared work plan; and

1770                               “(D) Follow any other directives the Director considers necessary for the  
1771 agency to implement the shared work plan consistent with the requirements for shared work plan  
1772 applications;

1773                   “(7) Certify that participation in the shared work unemployment compensation  
1774 program and implementation of the shared work plan will be consistent with the employer’s  
1775 obligations under applicable federal and District laws;

1776                   “(8) State the duration of the proposed shared work plan, which shall not exceed  
1777 365 days from the effective date established pursuant to section 6;

1778                   “(9) Provide any additional information or certifications that the Director  
1779 determines to be appropriate for purposes of the shared work unemployment compensation  
1780 program, consistent with requirements issued by the United States Secretary of Labor; and

1781                   “(10) Provide written approval of the proposed shared work plan by the collective  
1782 bargaining representative for any employees covered by a collective bargaining agreement who  
1783 will participate in the plan.”.

1784                   (c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

1785                   “Sec. 5. Approval and disapproval of a shared work plan.

1786                   “(a)(1) The Director shall approve or disapprove an application for a shared work plan in  
1787 writing within 15 calendar days of its receipt and promptly issue a notice of approval or  
1788 disapproval to the employer.

1789                   “(2) A decision disapproving the shared work plan shall clearly identify the  
1790 reasons for the disapproval.

1791                   “(3) A decision to disapprove a shared work plan shall be final, but the employer  
1792 may submit another application for a shared work plan not earlier than 10 calendar days from the  
1793 date of the disapproval.

1794                   “(b) Except as provided in subsections (c) and (d) of this section, the Director shall  
1795 approve a shared work plan if the employer:

1796                   “(1) Complies with the requirements of section 4; and

1797                   “(2) Has filed all reports required to be filed under the employment security law  
1798 for all past and current periods, and:  
1799                   “(A) Has paid all contributions and benefit cost payments; or  
1800                   “(B) If the employer is a reimbursing employer, has made all payments in  
1801 lieu of contributions due for all past and current periods.  
1802                   “(c) Except as provided in subsection (d) of this section, the Director may not approve a  
1803 shared work plan:  
1804                   “(1) To provide payments to an employee if the employee is employed by the  
1805 participating employer on a seasonal, temporary, or intermittent basis;  
1806                   “(2) If the employer's unemployment insurance account has a negative  
1807 unemployment experience rating;  
1808                   “(3) If the employer's unemployment insurance account is taxed at the maximum  
1809 tax rate in effect for the calendar year;  
1810                   “(4) For employers who have not qualified to have a tax rate assigned based on  
1811 actual experience; or  
1812                   “(5) For employees who are receiving or who will receive supplemental  
1813 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue  
1814 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any  
1815 period a shared work plan is in effect.

1816           “(d) During the effective period of a shared work plan entered into during a public health  
1817 emergency, subsection (c) of this section shall not apply. During a public health emergency, the  
1818 Director may not approve a shared work plan:

1819                   “(1) To provide payments to an employee if the employee is employed by the  
1820 participating employer on a seasonal, temporary, or intermittent basis;

1821                   “(2) For employees who are receiving or who will receive supplemental  
1822 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue  
1823 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any  
1824 period a shared work plan is in effect; or

1825                   “(3) For employers that have reported quarterly earnings to the Director for fewer  
1826 than 3 quarters at the time of the application for the shared work unemployment compensation  
1827 program.

1828           “(e) For the purposes of this section, the term “public health emergency” means the  
1829 public health emergency declared in the Declaration of Public Health Emergency (Mayor’s  
1830 Order 2020-046), declared on March 11, 2020~~declared in the Mayor’s order dated March 11,~~  
1831 ~~2020~~, and any extensions thereof.”.

1832           (d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

1833           “Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

1834           “(a) A shared work plan shall be effective on the date that is mutually agreed upon by the  
1835 employer and the Director, which shall be specified in the notice of approval to the employer.

1836           “(b) The duration of the plan shall be 365 days from the effective date, unless a shorter  
1837 duration is requested by employer or the plan is terminated or revoked in accordance with this  
1838 section.

1839           “(c) An employer may terminate a shared work plan at any time upon written notice to  
1840 the Director, participating employees, and a collective bargaining representative for the  
1841 participating employees. After receipt of such notice from the employer, the Director shall issue  
1842 to the employer, the appropriate collective bargaining representative, and participating  
1843 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared  
1844 work plan terminated.

1845           “(d) The Director may revoke a shared work plan at any time for good cause, including:

1846                   “(1) Failure to comply with the certifications and terms of the shared work plan;

1847                   “(2) Failure to comply with federal or state law;

1848                   “(3) Failure to report or request proposed modifications to the shared work plan in  
1849 accordance with section 7;

1850                   “(4) Unreasonable revision of productivity standards for the affected unit;

1851                   “(5) Conduct or occurrences tending to defeat the purpose and effective operation  
1852 of the shared work plan;

1853                   “(6) Change in conditions on which approval of the plan was based;

1854                   “(7) Violation of any criteria on which approval of the plan was based; or

1855                   “(8) Upon the request of an employee in the affected unit.

1856           “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written  
1857 revocation order to the employer that specifies the reasons for the revocation and the date the  
1858 revocation is effective. The Director shall provide a copy of the revocation order to all  
1859 participating employees and their collective bargaining representative.

1860           “(f) The Director may periodically review the operation of an employer’s shared work  
1861 plan to ensure compliance with its terms and applicable federal and District laws.

1862           “(g) An employer may submit a new application for a shared work plan at any time after  
1863 the expiration or termination of a shared work plan.”.

1864           (e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

1865           “Sec. 7. Modification of a shared work plan.

1866           “(a) An employer may not implement a substantial modification to a shared work plan  
1867 without first obtaining the written approval of the Director.

1868           “(b)(1) An employer must report, in writing, every proposed modification of the shared  
1869 work plan to the Director a least 5 calendar days before implementing the proposed modification.  
1870 The Director shall review the proposed modification to determine whether the modification is  
1871 substantial. If the Director determines that the proposed modification is substantial, the Director  
1872 shall notify the employer of the need to request a substantial modification.

1873           “(2) An employer may request a substantial modification to a shared work plan by  
1874 filing a written request with the Director. The request shall identify the specific provisions of the  
1875 shared work plan to be modified and provide an explanation of why the proposed modification is



1876 consistent with and supports the purposes of the shared work plan. A modification may not  
1877 extend the expiration date of the shared work plan.

1878 “(c)(1) At the Director’s discretion, an employer’s request for a substantial modification  
1879 of a shared work plan may be approved if:

1880 “(A) Conditions have changed since the plan was approved; and

1881 “(B) The Director determines that the proposed modification is consistent  
1882 with and supports the purposes of the approved plan.

1883 “(2) The Director shall approve or disapprove a request for substantial  
1884 modification, in writing, within 15 calendar days of receiving the request and promptly shall  
1885 communicate the decision to the employer. If the request is approved, the notice of approval  
1886 shall contain the effective date of the modification.”.

1887 (f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

1888 “Sec. 8. Employee eligibility for shared work benefits.

1889 “(a) A participating employee is eligible to receive shared work benefits with respect to  
1890 any week only if the individual is monetarily eligible for unemployment compensation, not  
1891 otherwise disqualified from unemployment compensation, and:

1892 “(1) With respect to the week for which shared work benefits are claimed, the  
1893 participating employee was covered by a shared work plan that was approved prior to that week;

1894 “(2) Notwithstanding any other provision of the employment security law relating  
1895 to availability for work and actively seeking work, the participating employee was available for

1896 the individual’s usual hours of work with the shared work employer, which may include  
1897 availability to participate in training to enhance job skills approved by the Director, such as  
1898 employer-sponsored training or training funded under the Workforce Innovation and Opportunity  
1899 Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

1900           “(3) Notwithstanding any other provision of law, a participating employee is  
1901 deemed unemployed for the purposes of determining eligibility to receive unemployment  
1902 compensation benefits in any week during the duration of such plan if the individual’s  
1903 remuneration as an employee in an affected unit is reduced under the terms of the plan.

1904           “(b) A participating employee may be eligible for shared work benefits or unemployment  
1905 compensation, as appropriate, except that no participating employee may be eligible for  
1906 combined benefits in any benefit year in an amount more than the maximum entitlement  
1907 established for regular unemployment compensation; nor shall a participating employee be paid  
1908 shared work benefits for more than 52 weeks under a shared work plan or in an amount more  
1909 than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

1910           “(c) The shared work benefit paid to a participating employee shall be deducted from the  
1911 maximum entitlement amount of regular unemployment compensation established for that  
1912 individual's benefit year.

1913           “(d) Provisions applicable to unemployment compensation claimants under the  
1914 employment security law shall apply to participating employees to the extent that they are not  
1915 inconsistent with this act. A participating employee who files an initial claim for shared work

1916 benefits shall receive a monetary determination of whether the individual is eligible to receive  
1917 benefits.

1918 “(e) A participating employee who has received all of the shared work benefits or  
1919 combined unemployment compensation and shared work benefits available in a benefit year shall  
1920 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia  
1921 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code  
1922 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to  
1923 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that  
1924 section, shall be eligible to receive extended benefits.

1925 “(f) Shared work benefits shall be charged to employers’ experience rating accounts in  
1926 the same manner as unemployment compensation is charged under the employment security law,  
1927 unless waived by federal or District law. Employers liable for payments in lieu of contributions  
1928 shall have shared work benefits attributed to service in their employ in the same manner as  
1929 unemployment compensation is attributed, unless waived by federal or District law.”.

1930 (g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

1931 (1) Subsection (a) is amended to read as follows:

1932 “(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a  
1933 participating employee shall be the product of the regular weekly unemployment compensation  
1934 amount for a week of total unemployment multiplied by the percentage of reduction in the  
1935 participating employee’s usual weekly hours of work.

1936                   “(2) The shared work benefit for a participating employee who performs work for  
1937 another employer during weeks covered by a shared work plan shall be calculated as follows:

1938                   “(A) If the combined hours of work in a week for both employers results  
1939 in a reduction of less than 10% of the usual weekly hours of work the participating employee  
1940 works for the shared work employer, the participating employee is not eligible for shared work  
1941 benefits;

1942                   “(B) If the combined hours of work for both employers results in a  
1943 reduction equal to or greater than 10% of the usual weekly hours worked for the shared work  
1944 employer, the shared work benefit payable to the participating employee is determined by  
1945 multiplying the weekly unemployment benefit amount for a week of total unemployment by the  
1946 percentage by which the combined hours of work have been reduced. A week for which benefits  
1947 are paid under this subparagraph shall be reported as a week of shared work benefits.

1948                   “(C) If an individual worked the reduced percentage of the usual weekly  
1949 hours of work for the shared work employer and is available for all the participating employee’s  
1950 usual hours of work with the shared work employer, and the participating employee did not work  
1951 any hours for the other employer, either because of the lack of work with that employer or  
1952 because the participating employee is excused from work with the other employer, the  
1953 participating employee shall be eligible for the full value of the shared work benefit for that  
1954 week.”.

1955                   (2) Subsection (b) is repealed

1956 (3) New subsections (c) and (d) are added to read as follows:

1957 “(c) A participating employee who is not provided any work during a week by the shared  
1958 work employer or any other employer and who is otherwise eligible for unemployment  
1959 compensation shall be eligible for the amount of regular unemployment compensation to which  
1960 the individual would otherwise be eligible.

1961 “(d) A participating employee who is not provided any work by the shared work  
1962 employer during a week, but who works for another employer and is otherwise eligible for  
1963 unemployment compensation may be paid unemployment compensation for that week subject to  
1964 the disqualifying income provision and other provisions applicable to claims for regular  
1965 unemployment compensation.”.

1966 **SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS**

1967 Sec. 2161. Short title.

1968 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses Act  
1969 of 2020”.

1970 Sec. 2162. Definitions.

1971 For the purposes of this subtitle, the term:

1972 (1) “Economically disadvantaged individual” shall have the same meaning as set  
1973 forth in section 2302(7) of the Small and Certified Business Enterprise Development and  
1974 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-  
1975 218.02(7)).

1976 (2)(A) “Eligible business” means an equity impact enterprise that has \$2 million  
1977 or less in annual revenue and certifies in writing that the business is unable to obtain  
1978 conventional financing or is a business enterprise that cannot reasonably be expected to qualify  
1979 for financing under the standards of commercial lending.

1980 (B) For the purposes of this paragraph, the phrase “unable to obtain  
1981 conventional financing” means that the business has attempted but failed in the attempt to obtain  
1982 financing from conventional sources.

1983 (3) “Equity impact enterprise” shall have the same meaning as set forth pursuant  
1984 in section 2303(8A) of ~~to~~ the Small and Certified Business Enterprise Development and  
1985 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-  
1986 218.02-(8A)).

1987 (4) “Fund” means the Equity Impact Fund established in section 2163.

1988 (5) “Fund Manager” means a private financial organization selected by the Mayor  
1989 pursuant to section 2164.

1990 (6) “Private financial organization” means a partnership, corporation, trust,  
1991 limited liability company, Community Development Financial Institution, or a consortium of  
1992 partnerships, corporations, trusts, limited liability companies, or Community Development  
1993 Financial Institutions, whether organized on a profit or not-for-profit basis, that has as its primary  
1994 activity the investment of capital into businesses.

1995 Sec. 2163. Establishment of the Equity Impact Fund.

1996 (a)(1) There is established a fund outside the General Fund of the District of Columbia,  
1997 designated as the Equity Impact Fund (“Fund”), which shall be managed by a Fund Manager  
1998 selected by the Mayor.

1999 (2) The Deputy Mayor for Planning and Economic Development shall provide,  
2000 upon selection of the Fund Manager, \$1.25 million in the aggregate in Fiscal Year 2021 for  
2001 deposit into the Fund (“District’s initial investment”).

2002 (b) The Fund shall be funded by money appropriated for the purposes of the Fund, other  
2003 amounts, if any, received by the District or Fund Manager for deposit into the Fund, and any  
2004 monies received as gifts, grants, donations, and awards.

2005 (c) ~~The funds~~ Money in the Fund shall be used ~~solely to~~ for the following purposes:

2006 (1) ~~To f~~Facilitate investment in businesses that lack access to capital;

2007 (2) ~~To m~~Make investments into eligible businesses based on an investment  
2008 strategy determined by the Fund Manager; and

2009 (3) ~~To a~~Administer the ~~F~~fund, including the provision of technical assistance to  
2010 eligible businesses; provided, that no more than 15% of the District’s initial investment may be  
2011 used annually for this purpose.

2012 Sec. 2164. Fund Manager selection.

2013 (a) The Mayor shall solicit applications, in a form determined by the Mayor, for the  
2014 position of Fund Manager from private financial organizations. The application shall contain  
2015 description of:

- 2016 (1) The qualifications of the applicant, including demonstrable experience in  
2017 investing in small businesses, businesses owned by economically disadvantaged individuals,  
2018 businesses owned by individuals who have been subjected to racial or ethnic prejudice or cultural  
2019 bias because of their identity as a member of a group without regard to their individual qualities,  
2020 or businesses that otherwise meet the definition of, or are similar to an equity impact  
2021 enterprisewomen or economically disadvantaged individuals, or in businesses that otherwise  
2022 meet the definition of, or are similar to, an equity impact enterprise;
- 2023 (2) How the applicant will structure the Fund and investment criteria to achieve  
2024 the goals and objectives of the Fund;
- 2025 (3) The ability and plans of the applicant to provide or raise sufficient funds to  
2026 provide matching contributions for the Fund;
- 2027 (4) The ability of the applicant to maintain a sufficient fund balance to administer  
2028 the Fund;
- 2029 (5) The type of businesses to be targeted for priority investment from the Fund;
- 2030 (6) A demonstrable ability to offer a variety of financing vehicles, including  
2031 equity financing, revenue-based financing, royalty financing, and debt financing;
- 2032 (7) The investment strategies the applicant will employ to achieve the goals and  
2033 objectives of the Fund; and
- 2034 (8) Other criteria that the Mayor considers necessary or appropriate.



2035 (b) ~~The An applicant for~~ Fund Manager shall be selected from among the applicants for  
2036 the position based on a scoring rubric established by the Mayor; provided, that:

2037 (1) A preference be given to applicants that are at least 51% owned, operated, or  
2038 controlled by ~~women or~~ economically disadvantaged individuals or individuals who have been  
2039 subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a  
2040 group without regard to their individual qualities; and

2041 (2) If the applicant manages an existing investment fund, the existing fund not  
2042 exceed \$100,000,000 in total investments.

2043 Sec. 2165. Minimum requirements for investment.

2044 (a) The Fund Manager shall source, underwrite, and monitor all investments placed  
2045 pursuant to this ~~aet~~subtitle. Except as otherwise provided by this subtitle~~aet~~, the Mayor shall not  
2046 determine the recipient, amount, interest rate, or any other requirement related to an investment  
2047 made pursuant to this subtitle~~aet~~.

2048 (b) The following requirements shall apply to any investment in an eligible ~~basis-business~~  
2049 made from the Fund using the District's initial investment or ~~proceeds thereof~~interest earned on  
2050 the initial investment:

2051 (1) The Fund Manager shall begin accepting applications from eligible businesses  
2052 seeking investment, on a rolling basis, within 30 days of being selected for the position by the  
2053 Mayor.

2054 (2) For the Fund Manager to provide an investment from the Fund, the eligible  
2055 business must agree, in writing, to participate in technical assistance training.

2056 (3) The Fund Manager shall establish, for each selected eligible business, a 12-  
2057 month individualized business plan. Investments shall be distributed to the eligible business in  
2058 installments based upon completion of specific milestones clearly described in the business's  
2059 individualized business plan. The individualized business plan shall include technical  
2060 assistance, provided at no cost to the business, which shall include education on the  
2061 management and scale of a business through live training or guided recorded sessions. All  
2062 eligible businesses that receive an investment from the Fund shall be required to participate in at  
2063 least 3 months of technical assistance training.

2064 Sec. 2166. Reporting requirements.

2065 The Fund Manager shall submit to the Mayor, on a quarterly basis, a report on the  
2066 activities of the Fund. The report shall include, at a minimum:

2067 (1) The aggregate amount of dollars invested in eligible businesses during the  
2068 reporting period;

2069 (2) The number of eligible businesses receiving an investment, including the  
2070 name and business address for each;

2071 (3) A copy of the individualized business plan for each eligible business,  
2072 including a description of the technical assistance training provided; and

2073 (4) The aggregate amount of funds in the Fund and a breakdown of the amount of  
2074 the funds in the Fund used for each of the following, with each amount reported as a percentage  
2075 of the aggregate amount of the Fund:

2076 (A) The percentage used for technical training assistance;

2077 (B) The percentage used for administration costs; and

2078 (C) The percentage used to compensate the Fund Manager.

2079 Sec. 2167. Recovery of District investment.

2080 The Mayor shall reserve the right to recover the amount of its initial investment into the  
2081 Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as  
2082 determined by the Mayor, place investments into eligible businesses in an amount equal to the  
2083 amount of the District's initial investment into the Fund.

2084 **SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION**

2085 Sec. 2171. Short Title.

2086 This subtitle may be cited as the "Affordable Housing Loan Fund Authorization  
2087 Amendment Act of 2020".

2088 Sec. 2172. The Department of Housing and Community Development is authorized to  
2089 submit an application for the program offered by the U.S. Department of Housing and Urban  
2090 Development, pursuant to section 108 of the Housing and Community Development Act of  
2091 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. § 5308)("program"), to provide a gap  
2092 subsidy resource source for qualified program-eligible affordable housing acquisition and

2093 rehabilitation projects in Fiscal Year 2021. ~~For the purposes of this section, "qualified affordable~~  
2094 ~~housing acquisition and rehabilitation projects" means projects that meet the criteria for the use~~  
2095 ~~of money in the Housing Preservation Fund, established by section 2032 of the Housing~~  
2096 ~~Preservation Fund Establishment Act of 2017, effective December 13, 2017 (D.C. Law 22-33;~~  
2097 ~~D.C. Official Code § 1-325.351), or the Housing Production Trust Fund, established by section 3~~  
2098 ~~of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202;~~  
2099 ~~D.C. Official Code § 42-2802).~~

2100           Sec. 2173. Section 2009(d) of the Department of Housing and Community Development  
2101 Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C.  
2102 Official Code § 42-2857.01(d)), is amended as follows:

2103           (a) The existing text is redesignated as paragraph (1).

2104           (b) A new paragraph (2) is added to read as follows:

2105           “(2) Costs associated with the application or implementation of projects pursuant  
2106 to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, ~~as approved by~~  
2107 ~~the Committee of the Whole passed on 1st reading~~ on July 7, 2020 (~~Committee Print Engrossed~~  
2108 ~~version~~ of Bill 23-760), shall not be considered project-delivery costs for purposes of paragraph  
2109 (1) of this subsection.”.

2110           Sec. 2174. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective  
2111 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended as follows:

2112           (a) The existing text is redesignated as subparagraph (A).

2113 (b) A new subparagraph (B) is added to read as follows:

2114 “(B) Costs associated with the application or implementation of projects  
2115 pursuant to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, ~~as~~  
2116 ~~approved by the Committee of the Whole passed on 1st reading~~ on July 7, 2020 (~~Committee~~  
2117 ~~Print~~Engrossed version of Bill 23-760), shall not be considered administration of the Fund for  
2118 purposes of paragraph (1) of this subsection.”.

2119 **SUBTITLE S. RENT STABILIZATION EXTENSION**

2120 Sec. 2181. Short Title.

2121 This subtitle may be cited as the “Rent Stabilization Extension Amendment Act of 2020”.

2122 Sec. 2182. Section 907 of the Rental Housing Act of 1985, effective July 17, 1985

2123 (D.C. Law 6-10; D.C. Official Code § 42-3509.07), is amended by striking the phrase “shall  
2124 terminate on December 31, 2020” and inserting the phrase “shall terminate on December 31,  
2125 2030” in its place.

2126 **SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND**

2127 **STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT**

2128 Sec. 2191. Short title.

2129 This subtitle may be cited as the “Expenditures from the Public Housing and Structural  
2130 Transformation Capital Account Act of 2020”.

2131 Sec. 2192. Expenditures from the Public Housing and Structural Transformation capital  
2132 account.

2133 (a) The District of Columbia Housing Authority (“Authority”) shall not obligate or  
2134 expend any money from capital project DHA00C unless the expenditure, or planned expenditure  
2135 in the case of an obligation, is part of a proposed spending plan submitted by the Authority to the  
2136 Mayor and thereafter approved by the Mayor. Each proposed spending plan shall also be  
2137 submitted by the Authority to the Council for its information.

2138 (b) Each proposed spending plan submitted by the Authority to the Mayor shall include  
2139 detailed information on each project for which the Authority proposes to expend funds from  
2140 capital project DHA00C. At a minimum, the information provided for a project shall include:

2141 ~~“(1) The proposed location of the project;~~

2142 ~~“(2) A detailed proposed scope of the project;~~

2143 ~~“(3) A detailed proposed line-item budget for the project;~~

2144 ~~“(4) A detailed proposed timeline for the project;~~

2145 ~~“(5) A statement of whether the implementation of the proposed project will~~

2146 require the relocation of tenants and, if such relocation is required, a detailed proposed relocation  
2147 plan.

2148 (c)(1) For each solicitation of a contract valued at \$100,000 or more that is funded with  
2149 money from capital project DHA00C, the Authority shall:

2150 (A) Award preferences to certified business enterprises as provided in  
2151 section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of  
2152 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43); and

2153 (B) Exercise its contracting and procurement authority for contracts  
2154 funded by capital project DHA00C so as to meet, on an annual basis, the goals of procuring and  
2155 contracting at least 50% of the dollar volume of such contracts (the “CBE dollar volume”) with  
2156 certified business enterprises and at least 50% of the CBE dollar volume with small business  
2157 enterprises.

2158 (2) For the purposes of this subsection, the term:

2159 (A) “Certified business enterprise” shall have the meaning set forth in  
2160 section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance  
2161 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

2162 (B) “Small business enterprise” shall have the meaning set forth in section  
2163 2302(16) of the Small and Certified Business Enterprise Development and Assistance Act of  
2164 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16)).

2165 **SUBTITLE U. DC CENTRAL KITCHEN FACILITY GRANT**

2166 Sec. 2201. Short title.

2167 This subtitle may be cited as the “DC Central Kitchen Facility Grant Amendment Act of  
2168 2020”.

2169 Sec. 2202. Notwithstanding section 4(c) of the Workforce Investment Implementation  
2170 Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(c)), and  
2171 the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C.  
2172 Official Code § 1-328.11 et seq.), in Fiscal Year 2021, the Workforce Investment Council shall

2173 award DC Central Kitchen a grant in the amount of \$1,000,000 to build a new training facility  
2174 that will provide culinary training services and community nutrition programming and to aid in  
2175 the relocation of its headquarters.

2176 **SUBTITLE V. C&O CANAL GRANT**

2177 Sec. 2211. Short title.

2178 This subtitle may be cited as the “C&O Canal Grant Act of 2020”.

2179 Sec. 2212. (a) In Fiscal Year 2021, the Office of Planning shall award a grant of  
2180 not less than \$500,000 to an organization partnering with the National Park Service to  
2181 complete concept design plans for the Chesapeake and Ohio Canal in Georgetown.

2182 (b) A grant awarded pursuant to this section shall be in addition to any other grant  
2183 awarded by the Office of Planning for design work for the Chesapeake and Ohio Canal.

2184 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2185 **SUBTITLE A. CRIMINAL CODE REFORM COMMISSION**

2186 Sec. 3001. Short title.

2187 This subtitle may be cited as the “Criminal Code Reform Commission Amendment Act of  
2188 2020”.

2189 Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective  
2190 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:



2191 (a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the phrase  
2192 “, or until the Commission is dissolved pursuant to section 3127, and” and inserting the phrase “,  
2193 and” in its place.

2194 (b) Section 3123 (D.C. Official Code § 3-152) is amended as follows:

2195 (1) The section heading is amended to read as follows:

2196 “Sec. 3123. Duties of the Criminal Code Reform Commission.”.

2197 (2) The lead-in language of subsection (a) is amended by striking the phrase “By  
2198 September 30, 2020” and inserting the phrase “By March 31, 2021” in its place.

2199 (3) Subsection (d) is amended by striking the phrase “provide, upon request by the  
2200 Council, a legal analysis of proposed legislation concerning criminal offenses, including” and  
2201 inserting the phrase “provide, upon request by the Council or on its own initiative, a legal or  
2202 policy analysis of proposed legislation or best practices concerning criminal offenses,  
2203 procedures, or reforms, including” in its place.

2204 (4) Subsection (e) is amended by striking the phrase “regarding criminal code  
2205 reform to advance” and inserting the phrase “to advance” in its place.

2206 (c) The lead-in language of section 3124(a) (D.C. Official Code § 3-153(a)) is amended  
2207 by striking the phrase “section 3123” and inserting the phrase “section 3123(a)” in its place.

2208 (d) Section 3125 (D.C. Official Code § 3-154) is amended as follows:

2209 (1) Subsection (a) is amended by striking the phrase “The Commission” and  
2210 inserting the phrase “Until March 31, 2021, the Commission” in its place.

2211 (2) Subsection (b) is amended by striking the phrase “The Commission shall file  
2212 an annual report with the Council before March 31 of each year” and inserting the phrase  
2213 “Before March 31, 2021, the Commission shall file a report with the Council” in its place.

2214 (3) A new subsection (c) is added to read as follows:

2215 “(c) Before March 31, 2022, and annually thereafter, the Commission shall file an annual  
2216 report with the Council of its activities during the previous calendar year.”.

2217 (e) Section 3127 (D.C. Official Code § 3-156) is repealed.

2218 **SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE**

2219 Sec. 3011. Short title.

2220 This subtitle may be cited as the “Restorative Justice Collaborative Amendment Act of  
2221 2020”.

2222 Sec. 3012. The Neighborhood Engagement Achieves Results Amendment Act of 2016,  
2223 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as  
2224 follows:

2225 (a) Section 101 (D.C. Official Code § 7-2411) is amended as follows:

2226 (1) Subsection (a) is amended as follows:

2227 (A) Paragraph (2) is amended by striking the phrase “; and” and inserting  
2228 a semicolon in its place.

2229 (B) Paragraph (3) is amended by striking the period and inserting the  
2230 phrase “; and” in its place.

2231 (C) A new paragraph (4) is added to read as follows:

2232 “(4) The Restorative Justice Collaborative, which shall serve as a centralized hub  
2233 to coordinate and foster restorative justice programming and practices within the District  
2234 government and by and in partnership with District community-based organizations.”.

2235 (2) Subsection (b) is amended as follows:

2236 (A) Paragraph (5) is amended by striking the phrase “; and” and inserting  
2237 a semicolon in its place.

2238 (B) Paragraph (6) is amended by striking the period and inserting the  
2239 phrase “; and” in its place.

2240 (C) A new paragraph (7) is added to read as follows:

2241 “(7) Coordinating and fostering restorative justice programming and practices  
2242 within the District government and by and in partnership with District community-based  
2243 organizations, with a focus on the 18-to-35-year old population.”.

2244 (b) Section 102(a)(3) (D.C. Official Code § 7-2412(a)(3)) is amended by striking the  
2245 phrase “programming; and” and inserting the phrase “and restorative justice programming; and”  
2246 in its place.

2247 **SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT**

2248 Sec. 3021. Short title.

2249 This subtitle may be cited as the “Emergency Medical Services Transport Contract  
2250 Authority Amendment Act of 2020”.

2251           Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract Authority  
2252 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is  
2253 amended by striking the ~~phrase-date~~ “September 30, 2021” and inserting the ~~phrase-date~~  
2254 “September 30, 2023” in its place.

2255           **SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

2256           Sec. 3031. Short title.

2257           This subtitle may be cited as the “Senior Police Officers Retention Amendment Act of  
2258 2020”.

2259           Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act  
2260 of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is  
2261 amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its  
2262 place.

2263           **SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS**

2264           Sec. 3041. Short title.

2265           This subtitle may be cited as the “Moving the Office on Returning Citizen Affairs  
2266 Amendment Act of 2020”.

2267           Sec. 3042. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice  
2268 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §  
2269 1-301.191), is amended as follows:

2270           (a) Subsection (c) is amended as follows:

2271 (1) Paragraph (1) is amended to read as follows:

2272 “(1) Be responsible for providing guidance and support to, and coordination of,  
2273 public safety, justice, and returning citizen agencies within the District of Columbia government,  
2274 including the Office on Returning Citizen Affairs, established by section 3 of the Office on Ex-  
2275 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of  
2276 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302);”.

2277 (2) Paragraph (2) is amended to read as follows:

2278 “(2) Ensure accountability through general oversight over public safety, justice,  
2279 and returning citizen agencies, as well as the programs under the jurisdiction of the Office;”.

2280 (3) Paragraph (3) is amended by striking the phrase “public-safety and justice  
2281 services” and inserting the phrase “public safety, justice, and returning citizen services” in its  
2282 place.

2283 (4) Paragraph (4) is amended by striking the phrase “criminal justice or public-  
2284 safety issues, in the coordination, planning, and implementation of public-safety and justice  
2285 matters” and inserting the phrase “public safety, justice, or returning citizen issues, in the  
2286 coordination, planning, and implementation of public safety, justice, and returning citizen  
2287 matters” in its place.

2288 (5) Paragraph (5) is repealed.

2289 (b) A new subsection (e) is added to read as follows:

2290           “(e) For the purposes of this section, the term “returning citizens” shall have the same  
2291 meaning as provided in section 2(5) of the Office on Ex-Offender Affairs and Commission on  
2292 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.  
2293 Law 16-243; D.C. Official Code § 24-1301(5)).”.

2294           Sec. 3043. Section 3(a) of the Office on Ex-Offender Affairs and Commission on Re-  
2295 Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law  
2296 16-243; D.C. Official Code § 24-1302(a)), is amended by striking the phrase “established the  
2297 Office on Returning Citizen Affairs” and inserting the phrase “established, as a subordinate  
2298 Executive agency within the Public Safety and Justice cluster, the Office on Returning Citizen  
2299 Affairs” in its place.

2300           **SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD**

2301           Sec. 3051. Short title.

2302           This subtitle may be cited as the “Concealed Pistol Licensing Review Board Membership  
2303 Amendment Act of 2020”.

2304           Sec. 3052. Section 908 of the Firearms Control Regulations Act of 1975, effective June 16,  
2305 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), is amended as follows:

2306           (a) Subsection (b)(1) is amended as follows:

2307                   (1) The lead-in language is amended by striking the phrase “7 members” and  
2308 inserting the phrase “11 members” in its place.

2309                   (2) Subparagraph (D) is amended by striking the semicolon and inserting the  
2310 phrase “; and” in its place.

2311                   (3) Subparagraph (E) is amended as follows:

2312                               (A) The lead-in language is amended by striking the phrase “Three public”  
2313 and inserting the phrase “Seven public” in its place.

2314                               (B) Sub-subparagraph (i) is amended by striking the phrase “; and” and  
2315 inserting a semicolon in its place.

2316                               (C) Sub-subparagraph (ii) is amended by striking the period and inserting  
2317 a semicolon in its place.

2318                               (D) New sub-subparagraphs (iii), (iv), and (v) are added to read as  
2319 follows:

2320                                       “(iii) Two District residents with professional experience in the  
2321 field of gun violence prevention;

2322                                       “(iv) One District resident with professional experience in the field  
2323 of victim services or advocacy; and

2324                                       “(v) One District resident attorney in good standing with the  
2325 District of Columbia Bar with professional experience in criminal law.”.

2326                   (b) Subsection (c) is amended by striking the phrase “section. Each hearing panel shall  
2327 contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.” and  
2328 inserting the phrase “section.” in its place.

2329           **SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING**

2330   **AUTHORITY**

2331           Sec. 3061. Short title.

2332           This subtitle may be cited as the “Litigation Support Fund and Grant-Making Authority  
2333 Amendment Act of 2020”.

2334           Sec. 3062. The Attorney General for the District of Columbia Clarification and Elected  
2335 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §  
2336 1-301.81 *et seq.*), is amended as follows:

2337           (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

2338                   (1) Subsection (c) is amended as follows:

2339                           (A) Paragraph (1)(B) is amended by striking the phrase “Funding staff  
2340 positions, up to a maximum amount of \$4 million” and inserting the phrase “Funding staff  
2341 positions, personnel costs, and employee retirement and separation incentives, up to a maximum  
2342 amount of \$6 million” in its place.

2343                           (B) Paragraph (2) is amended to read as follows:

2344                                   “(2) Beginning in Fiscal Year 2020, up to \$7 million deposited into the Fund each  
2345 fiscal year may be used for the purposes of crime reduction, violence interruption, and other  
2346 public safety initiatives.”.

2347                           (C) A new paragraph (3) is added to read as follows:



2348                   “(3) In Fiscal Year 2021, the first \$500,000 deposited into the Fund shall be  
2349 transferred to the Office of Victim Services and Justice Grants for victim services grants.”.

2350                   (2) Subsection (d)(3) is amended as follows:

2351                               (A) Subparagraph (A) is amended by striking the phrase “\$10 million”  
2352 both times it appears and inserting the phrase “\$17 million” in its place.

2353                               (B) Subparagraph (B) is amended by striking the phrase “\$11.6 million in  
2354 the Fund until September 30, 2020” and inserting the phrase “\$19.1 million in the Fund until  
2355 September 30, 2021” in its place.

2356                   (3) A new subsection (f) is added to read as follows:

2357                               “(f) Notwithstanding any other provision of this section, \$12,039,659.91 of the amount to  
2358 be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto*  
2359 *Co.*, Superior Court Case No. 2020 CA 002445 B, shall be deposited in the Fund and allocated as  
2360 follows:

2361                               “(1) \$7,339,659.91 shall be paid in attorney’s fees and costs to May Firm/EKM  
2362 Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008;  
2363 and

2364                               “(2) \$4,700,000 shall be used for the authorized purposes of the Fund pursuant to  
2365 subsection (c) of this section.”.

2366                   (b) Section 108c (D.C. Official Code § 1-301.88f) is amended as follows:

2367 (1) The section heading is amended by striking the phrase “reduction and violence  
2368 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims  
2369 of crime and other vulnerable residents” in its place.

2370 (2) Subsection (a) is amended by striking the phrase “reduction and violence  
2371 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims  
2372 of crime and other categories of vulnerable residents served by the Office of the Attorney  
2373 General, including seniors, children, individuals protected from discrimination under the Human  
2374 Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-  
2375 1401.01 *et seq.*), and individuals previously involved in the criminal justice system” in its place.

2376 **SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE**

2377 Sec. 3071. Short title.

2378 This subtitle may be cited as the “Chief of Police Term of Office Amendment Act of  
2379 2020”.

2380 Sec. 3072. Section 1 of An Act Relating to the Metropolitan police of the District of  
2381 Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01), is  
2382 amended by adding a new subsection (e) to read as follows:

2383 “(e)(1) Effective May 2, 2017, the term of office for Chief of Police shall be 4 years,  
2384 except that the Mayor may earlier terminate a Chief of Police with or without cause during that  
2385 Chief of Police’s term of office.

2386                   “(2) In the event a Chief of Police leaves office prior to the expiration of a 4-year  
2387 term, the successor Chief nominated by the Mayor and confirmed by the Council shall serve a  
2388 new 4-year term of office, subject to removal during that term by the Mayor in accordance with  
2389 paragraph (1) of this subsection.”.

2390                   **SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION**

2391                   Sec. 3081. Short title.

2392                   This subtitle may be cited as the “Monsanto Settlement Act of 2020”.

2393                   Sec. 3082. Notwithstanding any other provision of law, the \$52 million to be received by  
2394 the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior  
2395 Court of the District of Columbia Case No. 2020 CA 002445 B, shall be recognized as revenue  
2396 and allocated as follows:

2397                                 (1) \$7,339,659.91 shall be deposited in the Litigation Support Fund,  
2398 established pursuant to section 106b of the Attorney General for the District of Columbia  
2399 Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-  
2400 160; D.C. Official Code § 1-301.86b) (“Litigation Support Fund”), to pay attorney’s fees and  
2401 costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract  
2402 No. DCCB-2019-C-0008;

2403                                 (2) \$4,700,000 shall be deposited into the Litigation Support Fund and  
2404 used for the authorized purposes of that ~~Fundfund~~; and

2405 (3) \$30,000,000 shall be deposited into the Clean Land Fund, established  
2406 pursuant to section 308 of the Brownfield Revitalization Amendment Act of 2000, effective June  
2407 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-633.08), to be used for the authorized  
2408 purposes of that fund; and

2409 (34) \$39,960,340.09 shall be deposited as local funds into the General  
2410 Fund and shall be made available as set forth in the approved Fiscal Year 2021 Budget and  
2411 Financial Plan.

2412 Sec. 3083. Applicability.

2413 This subtitle shall apply as of July 28, 2020.

2414 **SUBTITLE J. ETHICS ENFORCEMENT**

2415 Sec. 3091. Short title.

2416 This subtitle may be cited as the “Ethics Enforcement Amendment Act of 2020”.

2417 Sec. 3092. The Board of Ethics and Government Accountability Establishment and  
2418 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-  
2419 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

2420 (a) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

2421 (1) Subsection (a) is amended as follows:

2422 (A) Paragraph (2) is amended by striking the phrase “the United States  
2423 Attorney for the District of Columbia for enforcement or prosecution;” and inserting the phrase  
2424 “the prosecutorial authority with jurisdiction for enforcement or prosecution; or” in its place.

2425 (B) Paragraph (3) is repealed.

2426 (2) Subsection (b) is amended to read as follows:

2427 “(b) The Board may refer information concerning an alleged violation of the Code of  
2428 Conduct or of this title to the prosecutorial authority with jurisdiction for enforcement or  
2429 prosecution after the presentation of evidence by the Director of Government Ethics to the Board  
2430 as provided in section 212(b), 213(e), or 214(a).”.

2431 (b) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

2432 (1) Subsection (b) is amended as follows:

2433 (A) Paragraph (1) is amended by striking the phrase “not more than  
2434 \$25,000” and inserting the phrase “not more than \$5,000” in its place.

2435 (B) A new paragraph (1A) is added to read as follows:

2436 “(1A) The fine set forth in paragraph (1) of this subsection shall not be limited by  
2437 section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11,  
2438 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).”.

2439 (C) Paragraph (2) is amended to read as follows:

2440 “(2) Prosecutions of violations of this subsection shall be brought by the Attorney  
2441 General of the District of Columbia.”.

2442 (D) A new paragraph (3) is added to read as follows:

2443 “(3) For the purposes of this subsection and section 222(a), violations of the  
2444 following provisions of the Code of Conduct substantially threaten the public trust:

2445 “(A) Section 223; and

2446 “(B) Section 416 of the Procurement Practices Reform Act of 2010,  
2447 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.16).”.

2448 (2) Subsection (d) is amended by striking the phrase “the Board, the Attorney  
2449 General of the District of Columbia, or of the United States Attorney for the District of  
2450 Columbia” and inserting the phrase “the Board or the Attorney General of the District of  
2451 Columbia” in its place.

2452 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2453 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE**

2454 Sec. 4001. Short title.

2455 This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools  
2456 Increase Amendment Act of 2020”.

2457 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public  
2458 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §  
2459 38-2901 *et seq.*), is amended as follows:

2460 (a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase  
2461 “\$10,980 per student for Fiscal Year 2020” and inserting the phrase “\$11,310 per student for  
2462 Fiscal Year 2021” in its place.

2463 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array  
2464 and inserting the following tabular array in its place:

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
Bill 23-760  
July 27, 2020  
Chairman Mendelson

~~ENGROSSED ORIGINAL~~

“Grade Level	Weighting	Per Pupil Allocation in FY 2021
“Pre-Kindergarten 3	1.34	\$15,155
“Pre-Kindergarten 4	1.30	\$14,703
“Kindergarten	1.30	\$14,703
“Grades 1-5	1.00	\$11,310
“Grades 6-8	1.08	\$12,215
“Grades 9-12	1.22	\$13,798
“Alternative program	1.445	\$16,343
“Special education school	1.17	\$13,233
“Adult	0.89	\$10,066

2465

2466

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

2467

“(c) The supplemental allocations shall be calculated by applying weightings to the

2468

foundation level as follows:

2469

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	\$10,971

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
Bill 23-760  
July 27, 2020  
Chairman Mendelson

~~ENGROSSED ORIGINAL~~

“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$22,281
“Level 4: Special Education	More than 24 hours per school week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$39,472
“Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for special education compliance.	0.099	\$1,120
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,007
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$18,888

2470  
2471

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“ELL	Additional funding for English Language Learners	0.49	\$5,542



“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.2256	\$2,552
----------	--	--------	---------

2472  
2473

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,185
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	\$15,155
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$32,686
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited- and non-English-proficient students living in a D.C. Public School or public charter school that provides	2.89	\$32,686

	students with room and board in a residential setting		
“LEP/NEP - Residential	Additional funding to support the after-hours limited- and non-English-proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$7,555

2474

2475

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

2476

in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$713
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,567
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553

2477

2478 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal  
2479 Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

2480 **SUBTITLE B. EDUCATION FACILITY COLOCATION**

2481 Sec. 4011. Short title.

2482 This subtitle may be cited as the “Education Facility Colocation Amendment Act of  
2483 2020”.

2484 Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities  
2485 Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 38-  
2486 1831.01), is amended as follows:

2487 (a) Subsection (a) is amended to read as follows:

2488 “(a) The District of Columbia Public Schools (“DCPS”) system may allow existing  
2489 public charter schools that are chartered pursuant to the District of Columbia School Reform Act  
2490 of 1995, approved April 26, 1996 (110 Stat. 1321-115; D.C. Official Code 38-1802.01 *et seq.*),  
2491 to utilize space in DCPS facilities, for a period not greater than 15 years, where such facilities are  
2492 currently or are projected to be underutilized.”.

2493 (b) Subsection (b) is amended as follows:

2494 (1) Paragraphs (1) and (2) are amended to read as follows:

2495 “(1) As payment for the space allocation, the public charter school shall pay to  
2496 DCPS an amount agreeable to the charter school and DCPS.

2497                   “(2) The amount of payment shall be agreed upon before relocation of any public  
2498 charter school into a DCPS facility.”.

2499                   (2) Paragraph (3) is repealed.

2500                   (c) Subsection (c) is amended by striking the phrase “Board of Education shall” and  
2501 inserting the phrase “Mayor may” in its place.

2502                   (d) A new subsection (d) is added to read as follows:

2503                   “(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund  
2504 (“Fund”), which shall be administered by DCPS in accordance with paragraph (3) of this  
2505 subsection.

2506                   “(2) All payments received from public charter schools under this section shall be  
2507 deposited in the Fund.

2508                   “(3) Money in the Fund shall be used for the following purposes:

2509                                 “(A) To fund additional school programming, supplemental staff, special  
2510 initiatives, and other activities and programs at DCPS schools in which charter schools are  
2511 collocated; and

2512                                 “(B) For maintenance of, or improvements to, DCPS schools in which  
2513 charter schools are collocated.

2514                   “(4)(A) The money deposited into the Fund but not expended in a fiscal year shall  
2515 not revert to the unassigned fund balance of the General Fund of the District of Columbia at the  
2516 end of a fiscal year, or at any other time.

2517                               “(B) Subject to authorization in an approved budget and financial plan,  
2518 any funds appropriated in the Fund shall be continually available without regard to fiscal year  
2519 limitation.”.

2520                               (e) A new subsection (e) is added to read as follows:

2521                               “(e) Any funds received by a DCPS school pursuant to this section shall be supplemental  
2522 to any funds budgeted for the school from the Uniform Per Student Funding Formula or other  
2523 fund source. A school’s school-based budget shall not be reduced based on funds received  
2524 pursuant to this section.”.

2525                               **SUBTITLE C. CHILD CARE GRANTS**

2526                               Sec. 4021. Short title.

2527                               This subtitle may be cited as the “Grantmaking Authority to Expand Access to Quality  
2528 Child Care Amendment Act of 2020”.

2529                               Sec. 4022. Child care grantmaking authority.

2530                               Section 3(b) of the State Education Office Establishment Act of 2000, effective October  
2531 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

2532                               (a) Paragraph (30) is amended by striking the phrase “; and” and inserting a semicolon in  
2533 its place.

2534                               (b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and”  
2535 in its place.

2536                               (c) A new paragraph (32) is added to read as follows:

2537                   “(32) Have the authority to issue grants, from funds under its administration, to  
2538 non-profit and community-based organizations to increase access to, the affordability of, and the  
2539 quality of child care in the District.”.

2540                   **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
2541 **FUNDRAISING MATCH**

2542                   Sec. 4031. Short title.

2543                   This subtitle may be cited as the “University of the District of Columbia Fundraising  
2544 Match Act of 2020”.

2545                   Sec. 4032. (a) In Fiscal Year 2021, of the funds allocated to the Non-Departmental  
2546 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the  
2547 District of Columbia (“UDC”) to match dollar-for-dollar the amount UDC raises from private  
2548 donations by April 1, 2021.

2549                   (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less  
2550 than one-third of the funds shall be deposited into UDC’s endowment fund.

2551                   **SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL**  
2552 **STABLIZATION**

2553                   Sec. 4041. Short title.

2554                   This subtitle may be cited as the “Adult and Residential Public Charter School Funding  
2555 Stabilization Amendment Act of 2020”.

2556           Sec. 4042. Section 107b of the Uniform Per Student Funding Formula for Public Schools  
2557 and Public Charter Schools ~~Act of 1995 and Tax Conformity Clarification Amendment Act of~~  
2558 ~~1998~~, effective ~~March 26, 1999~~ April 13, 2005 (D.C. Law ~~12-207~~ 15-348; D.C. Official Code §  
2559 38-2906.02), is amended ~~to by~~ adding a new subsection (c-1) to read as follows:

2560           “(c-1)(1) Notwithstanding subsections (b), (c), (d), and (g) of this section, for School  
2561 Year 2020-2021, the annual payment pursuant to the Funding Formula for each adult education  
2562 program ~~public charter school’s~~ and each residential public charter school’s ~~annual payment~~  
2563 ~~pursuant to the Funding Formula~~ shall equal the total estimated costs for the number of District  
2564 resident students projected to be enrolled in the adult education program or the residential public  
2565 charter school ~~at public charter school~~, during School Year 2020-2021, including the costs of all  
2566 add-on components provided in sections 106 and 106a, based on the program or school’s  
2567 enrollment projections contained in the Mayor’s Fiscal Year 2021 proposed budget, as modified  
2568 pursuant to section 107(e).

2569           “(2)(A) The ~~July 15~~ first quarterly payment shall be 35% of a school’s annual  
2570 payment.

2571           “(B) A school’s October 25, January 15, and April 15 payments  
2572 shall each equal 1/3 of the school’s total remaining annual payment after the first quarterly ~~July~~  
2573 ~~15~~ payment is made.”.

2574           “(3) For the purposes of this subsection, the term:

2575                   “(A) “Adult ~~public charter school~~education program” means a public  
2576 charter school or a program in a public charter school that, during School Year 2019-2020,  
2577 ~~provides was identified as an~~ adult education performance management framework school by the  
2578 District of Columbia Public Charter School Board, as defined in section 102(1) of the Uniform  
2579 Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998,  
2580 effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(1)).

2581                   “(B) “Residential public charter school” means a public charter school  
2582 that, during School Year 2019-2020, provided a majority of its students with room and board in a  
2583 residential setting, in addition to their instructional program.”.

2584                   Sec. 4043. Applicability.

2585                   This subtitle shall apply as of July 31, 2020.

2586                   **SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY**

2587                   Sec. 4051. Short title.

2588                   This subtitle may be cited as the “School Financial Transparency Amendment Act of  
2589 2020”.

2590                   Sec. 4052. Section ~~201-202~~ of the Department of Education Establishment Act of 2007,  
2591 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), is amended as follows:

2592                   (a) Subsection (b) is amended as follows:

2593                                 (1) Paragraph (8) is amended by striking the phrase “; and” and inserting a  
2594 semicolon in its place.



2595 (2) Paragraph (9) is amended by striking the period and inserting the phrase “;  
2596 and” in its place.

2597 (3) A new paragraph (10) is added to read as follows:

2598 “(10)(A) By May 31, 2021, establish common financial reporting standards for  
2599 the non-capital budgets and expenditures of District of Columbia Public Schools and public  
2600 charter schools. The common financial reporting standards shall:

2601 “(i) Include categories for reporting budgets and expenditures for  
2602 instructional staff, school administrators, instructional supports, educational materials, and non-  
2603 educational administrative costs;

2604 “(ii) Permit meaningful and accurate budget and expenditure  
2605 comparisons, including comparisons of budgets and expenditures for at-risk students, as defined  
2606 in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public  
2607 Charter Schools Act of 1998, ~~October 1, 2002~~effective March 26, 1999 (D.C. Law 12-207; D.C.  
2608 Official Code § 38-2901(2A)), between all public schools and between all local education  
2609 agencies;

2610 “(iii) Ensure full and accurate disclosure of administrative costs for  
2611 each local education agency; and

2612 “(iv) Make it possible to collect comparable data by school  
2613 campus.

2614 “(B) For the purposes of this paragraph, the term:

2615 \_\_\_\_\_“(i) “Local education agency” means the District of Columbia  
2616 Public Schools system or any individual or group of public charter schools operating under a  
2617 single charter.

2618 \_\_\_\_\_“(ii) “Public schools” includes public charter schools.”.

2619 (b) A new subsection (f) is added to read as follows:

2620 “(f)(1) To support the establishment of common financial reporting standards required  
2621 pursuant to subsection (b)(10) of this section, the Deputy Mayor for Education may issue grants  
2622 not to exceed \$200,000, in Fiscal Year 2021.

2623 “(2) Grants issued pursuant to this subsection shall be administered pursuant to  
2624 the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013  
2625 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)”.

2626 Sec. 4053. Section 3(b) of the State Education Office Establishment Act of 2000,  
2627 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by  
2628 adding a new paragraph (3A) to read as follows:

2629 “(3A) Beginning in May 2024, and annually thereafter, electronically publish for  
2630 each public school and public charter school the previous school year’s expenditures, based on  
2631 the common financial reporting standards established by the Department of Education pursuant  
2632 to section ~~201202~~(b)(10) of the Department of Education Establishment Act of 2007, effective  
2633 June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191)~~effective November 13, 2003 (D.C.~~

2634 ~~Law 13-176; D.C. Official Code § 38-2602(b)(10)),~~ in a manner that permits the public to easily  
2635 compare expenditures between individual schools and between local education agencies.”.

2636 Sec. 4054. ~~Section 6 of the~~The Board of Education Continuity and Transition Amendment  
2637 Act of 2004, ~~December 7, 2004 effective March 21, 2009~~ (D.C. Law 15-211; D.C. Official Code  
2638 § 38-2831 *passim*), is amended as follows:

2639 (a) Section 6 (D.C. Official Code § 38-2831) is amended as follows:

2640 (1) Subsection (b) is amended as follows:

2641 \_\_\_\_\_ ~~(1A)~~ Paragraph (1) is amended to read as follows:

2642 “(1) All funds budgeted for each school, including a summary statement or table  
2643 of the local-funds budget for each school, by revenue source for activities and service levels, and  
2644 by revenue source for comptroller source group by activities and service levels;”

2645 \_\_\_\_\_ ~~(2B)~~ Paragraph (2) is amended by striking the phrase “; and” and inserting  
2646 a semicolon in its place.

2647 \_\_\_\_\_ ~~(3C)~~ Paragraph (3)(B) is amended by striking the period and inserting a  
2648 semicolon in its place.

2649 \_\_\_\_\_ ~~(4D)~~ New paragraphs (4) and (5) are added to read as follows:

2650 “(4) The methodology used to determine each school’s local funding; and

2651 “(5) For each school’s individual budget, a separate budget line item for funding  
2652 allocated to at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding  
2653 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26,

2654 ~~1999~~~~October 1, 2002~~ (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)), as coded in the  
2655 District’s current official financial system of record.”.

2656 (b~~2~~) A new subsection (g) is added to read as follows:

2657 “(g) By December 1, 2023, and annually thereafter, the Mayor shall transmit a report of  
2658 the previous school year’s actual expenditures, for each school, to the Office of the State  
2659 Superintendent of Education. The report shall conform to the common financial reporting  
2660 standards established by the Department of Education pursuant to section ~~201~~202(b)(10) of the  
2661 Department of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9;  
2662 D.C. Official Code § 38-191~~effective November 13, 2003 (D.C. Law 13-176; D.C. Official Code~~  
2663 ~~§ 38-2602~~(b)(10)).”.

2664 (b~~c~~) A new section 6a is added to read as follows:

2665 “Sec. 6a. District of Columbia Public Schools school-level budget model.

2666 “(e) As part of the District of Columbia Public Schools’ (“DCPS”) regular multi-year  
2667 strategic planning and goal setting, DCPS shall include, and make publicly available, an analysis  
2668 of the model used to determine school-level budgets for DCPS schools. The analysis shall  
2669 include the following:

- 2670 (1) A summary of DCPS costs, including personnel costs;
- 2671 (2) Research in education and education finance;
- 2672 (3) A discussion of budget alignment with DCPS priorities; and
- 2673 (4) Recommendations for changes, if applicable.”.

2674           Sec. 4055. Section 106a of the Uniform Per Student Funding Formula for Public Schools  
2675 and Public Charter Schools Amendment Act of 1998, effective ~~March 26, 1999~~ February 22,  
2676 2014 (D.C. Law ~~12-27020-87~~; D.C. Official Code § 38-2905.01), is amended by adding a new  
2677 subsection (d) to read as follows:

2678           “(d) Beginning December 31, 2023, and annually thereafter, every local education agency  
2679 that is allocated funds pursuant to this section shall provide OSSE with data related to  
2680 expenditures of such funds consistent with reporting standards established by the Department of  
2681 Education pursuant to section ~~201202~~(b)(10) of the Department of Education Establishment Act  
2682 of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191effective  
2683 November 13, 2003 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(10)).”.

2684           Sec. 4056. The District of Columbia School Reform Act of 1995, approved April 26,  
2685 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

2686           (a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding a new  
2687 paragraph (~~2223~~) to read as follows:

2688           “(~~2223~~) *School expenditures and budgets.* — (A) Beginning July 29, 2022, and  
2689 annually thereafter, the Board of Trustees of each public charter school shall prepare and submit  
2690 to the Public Charter School Board and OSSE, for each campus under its control, the following  
2691 data:

2692                           “(i) Actual expenditures for the prior school year;

2693                           “(ii) The current school year’s budget; and

2694 “(iii) A draft budget for the following school year.

2695 “(B) The data submitted pursuant to subparagraph (A) of this paragraph

2696 shall conform to the common financial reporting standards established by the Department of

2697 Education pursuant to section ~~201202~~(b)(10) of the Department of Education Establishment Act

2698 of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191~~effective~~

2699 ~~November 13, 2003 (D.C. Law 13-176; D.C. Official Code § 38-2602~~(b)(10)).

2700 “(C) The Public Charter School Board shall electronically publish the data

2701 it receives pursuant to subparagraph (A) of this paragraph in a uniform manner for each school

2702 by November 1 each year.”.

2703 (b) Section 2205 (D.C. Official Code § 38-1802.05) is amended by adding a new

2704 subsection (e) to read as follows:

2705 “(e) *Open meetings*. — All meetings of a Board of Trustees shall be subject to

2706 the requirements of the Open Meetings ~~Amendment Act of 2010~~, effective March 31, 2011 (D.C.

2707 Law 18-~~614350~~; D.C. Official Code § 2-571 *et seq.*)”.

2708 Sec. 4057. The Open Meetings ~~Amendment Act of 2010~~, effective March 31, 2011 (D.C.

2709 Law 18-~~614350~~; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

2710 (a) Section 404(3) (~~D.C. Law 18-350~~; D.C. Official Code § 2-574(3)) is amended as

2711 follows:

2712 (1) The lead-in language is amended by striking the phrase “agency, or” and

2713 inserting the phrase “agency, the board of trustees of a public charter school, or” in its place.

- 2714 (2) Subparagraph (C) is repealed.
- 2715 (b) Section 405(b) (D.C. Official Code § 2-575(b)) is amended as follows:
- 2716 (1) Paragraph (10) is amended by striking the semicolon and inserting the phrase
- 2717 “, or of public charter school personnel, where the public body is the board of trustees of a public
- 2718 charter school;” in its place.
- 2719 (2) Paragraph (13) is amended by striking the phrase “; and” and inserting a
- 2720 semicolon in its place.
- 2721 (3) Paragraph (14) is amended by striking the period and inserting a semicolon in
- 2722 its place.
- 2723 (4) New paragraphs (15) and (16) are added to read as follows:
- 2724 “(15) To discuss matters involving personally identifiable information of students;
- 2725 and
- 2726 “(16) When the public body is the board of trustees for a public charter school:
- 2727 “(A) To discuss information related to the operation of a public charter
- 2728 school; provided, that a meeting may not be closed to discuss matters related to the approval of
- 2729 the public charter school’s annual budget or matters related to whether to open or close a public
- 2730 charter school or campus or to expand the public charter school’s program; or
- 2731 “(B) To meet with the staff of an eligible chartering authority.”.

2732 (c) Section 406(3) (D.C. Official Code § 2-576(3)) is amended by striking the phrase  
2733 “subsection, notice” and inserting the phrase “subsection, except for meetings of boards of  
2734 trustees for public charter schools, notice” in its place.

2735 (d) Section 408(b)(1) (D.C. Official Code § 2-578(b)(1)) is amended by striking the  
2736 period and inserting the phrase “, or in the case of a board of trustees for a public charter school,  
2737 no later than 30 business days after the meeting.”.

2738 **SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION**

2739 Sec. 4061. Short title.

2740 This subtitle may be cited as the “Healthy Schools Fund Restoration Amendment Act of  
2741 2020”.

2742 Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27, 2010  
2743 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f)), is amended by striking the  
2744 phrase “Beginning on October 1, 2019, an amount of \$5,110,000” and inserting  
2745 the phrase “Beginning on October 1, 2020, an amount of \$5,590,000” in its place.

2746 **SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS**

2747 Sec. 4071. Short title.

2748 This subtitle may be cited as the “Wilkinson School Disposition Process Amendment Act  
2749 of 2020”.



2750           Sec. 4072. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,  
2751 approved April 26, 1996 (110 Stat. 1321-~~125244~~; D.C. Official Code § 38-1802.09(b)(1)), is  
2752 amended by adding a new subparagraph (B-ii) to read as follows:

2753                           “(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor  
2754 may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson  
2755 Elementary School building to:

2756   “(I) A charter school facility incubator that leased the former  
2757 Birney Elementary School Building as of October 1, 2020;

2758   “(II) A public charter school that occupied all, or a portion of, the  
2759 former Birney Elementary School building as of October 1, 2020.”.

2760           Sec. 4073. Section 1 of An Act Authorizing the sale of certain real estate in the District of  
2761 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.  
2762 Official Code § ~~D.C. Code §~~ 10-801), is amended as follows:

2763                   (a) Subsection (a)(1) is amended by striking the number “20” and inserting the number  
2764 “15” in its place.

2765                   (b) A new subsection (b-6) is added to read as follows:

2766                           “(b-6)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the  
2767 disposition of the former Wilkinson Elementary School in Ward 8 (“Wilkinson real property”),  
2768 the Mayor shall hold at least one public hearing on the finding that the Wilkinson real property is  
2769 no longer required for public purposes and to obtain community input on the proposed

2770 disposition of the Wilkinson real property before submitting the proposed surplus resolution and  
2771 proposed disposition resolution to the Council pursuant to this section.

2772           “(2) The hearing required by paragraph (1) of this subsection shall be held at an  
2773 accessible evening or weekend time and in an accessible location in the vicinity of the Wilkinson  
2774 real property. The Mayor shall provide at least 30 days written notice of the hearing to the  
2775 affected Advisory Neighborhood Commission and publish notice of the hearing in the District of  
2776 Columbia Register at least 15 days before the hearing.”.

2777           **SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE**

2778           Sec. 4081. Short title.

2779           This subtitle may be cited as the “Academic Middle Mentoring Initiative Act of 2020”.

2780           Sec. 4082. In Fiscal Year 2021, the Office of the State Superintendent of Education shall  
2781 award, on a competitive basis, a grant of \$200,000 to support a mentoring program that mentors  
2782 low-income high school students and low-income, first generation college students in the  
2783 academic middle, who are enrolled in or who graduated from a District public or public charter  
2784 school, to provide the students with the skills and experiences needed to successfully complete  
2785 college and excel in the workforce.

2786           **SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING**

2787 **EXTENSION**

2788           Sec. 4091. Short title.

2789           This subtitle may be cited as the “Truancy Prevention and Literacy Pilot Funding  
2790 Extension Amendment Act of 2020”.

2791           Sec. 4092. Section 403(g) of the Community Schools Incentive Act of 2012, effective  
2792 June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(g)) is amended by adding a  
2793 new paragraph (4) to read as follows:

2794                   “(4) Any funds awarded pursuant to paragraph (1) of this subsection but not  
2795 expended in Fiscal Year 2020 shall be available to the grant recipients until September 30,  
2796 2021.”.

2797           **SUBTITLE K. DCPS AUTHORITY FOR SCHOOL SECURITY**

2798           Sec. 4101. This subtitle may be cited as the “DCPS Authority for School Security  
2799 Amendment Act of 2020”.

2800           Sec. 4102. The School Safety and Security Contracting Procedures Act of 2004, effective  
2801 April 13, 2005 (D.C. Law 15-350; D.C. Official Code § 5-132.01 *et seq.*), is amended as follows:

2802           (a) Section 101 (D.C. Official Code § 5-132.01) is amended as follows:

2803                   (1) A new paragraph (1B) is added to read as follows:

2804                           “(1B) “MOA” means the Memorandum of Agreement into which DCPS and  
2805 MPD enter pursuant to section 104.”.

2806                   (2) Paragraph (4) is repealed.

2807                   (3) Paragraph (5) is amended to read as follows:

2808                   “(5) “School security personnel” means individuals, including unarmed security  
2809 guards, that DCPS hires or contracts to support safety in DCPS schools.”.

2810                   (4) A new paragraph (5A) is added to read as follows:

2811                   “(5A) “Security-related contract” means any contract to provide physical or  
2812 personal security services, including school security personnel, at DCPS schools.”.

2813                   (5) Paragraph (6) is repealed.

2814                   (b) Section 102 (D.C. Official Code § 5-132.02) is amended as follows:

2815                   (1) Subsection (a) is amended by striking the phrase “security for the District of  
2816 Columbia Public Schools” and inserting the phrase “school resource officers to the DCPS  
2817 schools and public charter schools” in its place.

2818                   (2) Subsection (c) is amended to read as follows:

2819                   “(c) The School Safety Division shall:

2820                   “(1) Hire and train school resource officers;

2821                   “(2) Deploy school resource officers to:

2822                   “(A) DCPS schools, consistent with the terms of the MOA; and

2823                   “(B) Public charter schools;

2824                   “(3) Coordinate with DCPS and public charter schools regarding the use and  
2825 sharing of resources and communications between MPD and school-specific safety teams; and

2826                   “(4) Provide recommendations to the Mayor, Council, and the DCPS Chancellor  
2827 regarding the impact of school closings, consolidations, grade reconfigurations, use of swing

2828 space during school reconstruction, and gang and crew violence on the safety and well-being of  
2829 children.”.

2830 (c) Section 103 (D.C. Official Code § 5-132.03) is amended as follows:

2831 (1) The section heading is amended by striking the phrase “security personnel”  
2832 and inserting the phrase “resource officers” in its place.

2833 (2) The lead-in language is amended by striking the phrase “security personnel  
2834 providing security for DCPS” and inserting the phrase “resource officers” in its place.

2835 (3) Paragraph (7) is amended by striking the phrase “laws and regulations,  
2836 including Board of Education regulations” and inserting the phrase “laws and regulations” in its  
2837 place.

2838 (4) Paragraph (8) is amended by striking the phrase “security personnel” and  
2839 inserting the phrase “resource officers” in its place.

2840 (d) New sections 103a and 103b are added to read as follows:

2841 “Sec. 103a. DCPS responsibilities for school security.

2842 “(a) DCPS shall be responsible for school security personnel within DCPS schools, and  
2843 shall:

2844 “(1) Oversee the hiring or contracting of school security personnel for DCPS;

2845 “(2) Deploy school security personnel to DCPS schools;

2846 “(3) Provide oversight over school security personnel and be responsible for

2847 administering all disciplinary actions related to school security personnel, including termination;

2848                   “(4) Execute, approve, administer, monitor, and provide oversight over any  
2849 security-related contract for school security personnel; and

2850                   “(5) Create and implement school building security and emergency operations  
2851 plans, in consultation with MPD and the Homeland Security and Emergency Management  
2852 Agency.

2853                   “Sec. 103b. Training for school security personnel.

2854                   “(a) For the school year beginning in 2020, DCPS may use the training curriculum  
2855 adopted by MPD pursuant to section 103 to train its school security personnel.

2856                   “(b) By the start of the school year beginning in 2021, DCPS shall adopt a school security  
2857 personnel training curriculum based on the positive youth development philosophy. The  
2858 curriculum shall focus on training supervisory and on-site personnel to provide security services  
2859 responsive and appropriate to the student, staff, and family populations at each school building.  
2860 At a minimum, the curriculum shall include training in the following areas, developed with  
2861 advice from appropriate other District agencies:

2862                   “(1) Child and adolescent development;

2863                   “(2) Effective communication skills;

2864                   “(3) Behavior management;

2865                   “(4) Conflict resolution, including restorative justice practices;

2866                   “(5) De-escalation techniques;

2867                   “(6) Behavioral health issues for youth and families;

2868 “(7) Child sexual abuse and gender-based violence prevention, identification, and  
2869 response;

2870 “(8) Availability of social services for youth;

2871 “(9) District of Columbia laws and regulations;

2872 “(10) Constitutional standards for searches and seizures conducted by school  
2873 security personnel on school grounds; and

2874 “(11) Violence prevention, including gang and crew dynamics.”.

2875 (e) Section 104 (D.C. Official Code § 5-132.04) is amended to read as follows:

2876 “Sec. 104. Coordination of school security efforts between DCPS and MPD.

2877 “Within 20 days after the effective date of the Fiscal Year 2020 Revised Local Budget

2878 Emergency Amendment Act of 2020, ~~as introduced~~passed on emergency basis on ~~May 18~~July

2879 23, 2020 (Enrolled version of Bill 23-763), DCPS and MPD shall enter into an MOA for the

2880 purpose of coordinating the agencies’ respective security obligations at DCPS schools. The

2881 MOA shall:

2882 “(1) Reflect DCPS’s role as the administrator of any security-related contract;

2883 “(2) Include provisions for effectuating the transfer of any personnel, property,

2884 funds, or records necessary to transfer responsibility for any existing security-related contract

2885 from MPD to DCPS;

2886 “(3) Delineate lines of authority, supervision, and communication between MPD

2887 and DCPS, including how school resource officers deployed at each school will provide security

2888 in coordination with the school’s principal and school security personnel; provided, that during  
2889 emergencies, incident command shall be consistent with the District of Columbia response plan,  
2890 as defined by section 2(1A) of the District of Columbia Public Emergency Act of 1980, effective  
2891 March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(1A));

2892 “(4) Include a process for resolving disagreements between DCPS and MPD at all  
2893 levels; and

2894 “(5) Provide for MPD advice and consultation on DCPS school building security  
2895 and emergency operations plans.”.

2896 (f) Section 105 (D.C. Official Code § 5-132.05) is amended to read as follows:

2897 “Sec. 105. Authority to issue RFPs for school security-related contracts.

2898 “(a)(1) Beginning on the effective date of the Fiscal Year 2020 Revised Local Budget

2899 Emergency Amendment Act of 2020, ~~as introduced on May 18~~passed on emergency basis on

2900 July 23, 2020 (Enrolled version of Bill 23-763), DCPS shall be responsible for administering and

2901 funding any security-related contract effective during the 2020-2021 school year.

2902 “(2) MPD shall transfer to DCPS all personnel, property, funds, or records

2903 necessary for DCPS to administer and fund any security-related contract effective during the

2904 2020-2021 school year.

2905 “(b) Responsibility for the issuance of a Request for Proposals (“RFP”) for any security-

2906 related contract for DCPS for a contract term to begin June 30, 2021, or later shall transfer from

2907 the MPD to DCPS as of the effective date of the Fiscal Year 2020 Revised Local Budget



2908 Emergency Act of 2020, passed on emergency basis on July 21, 2020 (Enrolled version of as  
2909 ~~introduced on May 18, 2020~~ (Bill 23-763). DCPS shall be responsible for awarding, executing,  
2910 administering, and funding a contract resulting from an RFP issued under this subsection.”.

2911 **TITLE V. HUMAN SUPPORT SERVICES**

2912 **SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED**  
2913 **PAYMENTS**

2914 Sec. 5001. Short title.

2915 This subtitle may be cited as the “Medicaid Hospital Supplemental and Directed  
2916 Payments Amendment Act of 2020”.

2917 Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017,  
2918 effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is  
2919 amended as follows:

2920 (a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the  
2921 phrase “September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed” and  
2922 inserting the phrase “September 30, 2018” in its place.

2923 (b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the  
2924 semicolon and inserting the phrase “, either directly or through payments to managed care  
2925 organizations;” in its place.

2926 (c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended  
2927 to read as follows:

2928                   “(1) An amount equal to the non-federal share of the total available spending  
2929 room under the outpatient Medicaid upper payment limit for private hospitals applicable to  
2930 District Fiscal Year 2020, consistent with requirements and approvals from the United States  
2931 Department of Health and Human Services, Centers for ~~Medicaid or~~ Medicare and Medicaid  
2932 Services; plus

2933                   “(2) An amount equal to the non-federal share of the total available spending  
2934 room under the outpatient Medicaid upper payment limit for District operated hospitals  
2935 applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing  
2936 Medicaid State Plan amendment or associated templates and other authorities; plus”.

2937                   (d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the  
2938 phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan  
2939 amendment” and inserting the phrase “the District obtains approvals required by the Centers for  
2940 Medicare and Medicaid Services for” in its place.

2941                   (e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

2942                   “Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

2943                   “(a) For visits and services beginning October 1, 2020, the District shall pay managed  
2944 care organizations (“MCOs”) at a rate sufficient to support payments to hospitals located in the  
2945 District for outpatient services at a rate that is not less than 130% of the District Fiscal Year 2020  
2946 fee-for-service base rate and shall direct MCOs to pay such rate to their participating hospitals  
2947 located in the District for such services.

2948           “(b) No payment shall be made under this section until such time that the Centers for  
2949 Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated  
2950 template, and other authorities authorizing the Medicaid payments described in this section.

2951           “(c) The Medicaid payment methodologies authorized under this section shall not be  
2952 altered unless such alteration is necessary to gain approval from the Centers for Medicare and  
2953 Medicaid Services.”.

2954           Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of  
2955 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is  
2956 amended to read as follows:

2957           “(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this  
2958 section and section 5087, the District, through the Office of Tax and Revenue, may charge each  
2959 hospital a fee based on its inpatient net patient revenue.

2960           “(2) The fee shall be charged at a uniform rate necessary to generate no more than  
2961 \$8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District  
2962 Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

2963           “(3) The fee collected pursuant to this section shall be deposited in the Hospital  
2964 Fund, established by section 5083.”.

2965           **SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION**

2966           Sec. 5011. Short title.

2967 This subtitle may be cited as the “Medical Marijuana Program Administration  
2968 Amendment Act of 2020”.

2969 Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1998,  
2970 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is  
2971 amended as follows:

2972 (a) Section 2 (D.C. Official Code § 7-1761.01), is amended as follows:

2973 (1) Paragraphs (1), (1A), and (1B) are redesignated as paragraphs (1B), (1C), and  
2974 (1D), respectively.

2975 (2) New paragraphs (1) and (1A) are added to read as follows:

2976 ~~“(1) “ABRA” means the Alcoholic Beverage Regulation Administration.~~

2977 “(1A) “ABC Board” means the Alcoholic Beverage Control Board.”.

2978 “(1A) “ABRA” means the Alcoholic Beverage Regulation Administration.

2979 (3) Paragraph (3)(B) is amended by striking the phrase “with the Department” and  
2980 inserting the phrase “with ABRA” in its place.

2981 (4) Paragraph (5) is amended by striking the phrase “with the Mayor” and  
2982 inserting the phrase “with ABRA” in its place.

2983 (5) Paragraph (6) is repealed.

2984 (6) Paragraph (7) is amended by striking the phrase “with the Mayor” and  
2985 inserting the phrase “with ABRA” in its place.

2986 (7) Paragraph (19) is amended by striking the phrase “if the Department” and

2987 inserting the phrase “if ABRA” in its place.

2988 (8) Paragraph (21) is amended by striking the phrase “by the Department” and  
2989 inserting the phrase “by ABRA” in its place.

2990 (b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:

2991 (1) Subsection (c)(1)(B) is amended by striking the phrase “with the Mayor” and  
2992 inserting the phrase “with ABRA” in its place.

2993 (2) Subsection (d) is amended by striking the phrase “with the Mayor” and  
2994 inserting the phrase “with ABRA” in its place.

2995 (c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the  
2996 phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.

2997 (d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

2998 (1) The lead-in ~~text language~~ is amended by striking the phrase “The Program  
2999 shall be administered by the Mayor and shall” and inserting the phrase “The Program shall” in its  
3000 place.

3001 (2) Paragraph (1)(A) is amended by striking the phrase “with the Department” and  
3002 inserting the phrase “with ABRA” in its place.

3003 (3) Paragraph (4)(A) is amended as follows:

3004 (A) Subparagraph (iv) is amended by striking the phrase “by the  
3005 Department” and inserting the phrase “by the ABC Board” in its place.

3006 (B) Subparagraph (v) is amended by striking the phrase “by the Mayor”

3007 and inserting the phrase “by ABRA” in its place.

3008 (4) Paragraph (5A) is amended as follows:

3009 (A) The lead-in ~~text language~~ is amended by striking the phrase “by the  
3010 Department” and inserting the phrase “by the ABC Board” in its place.

3011 (B) Paragraph (D) is amended by striking the phrase “by the Department”  
3012 and inserting the phrase “by the ABC Board” in its place.

3013 (5) Paragraph (5B)(D) is amended by striking the phrase “that the Department”  
3014 and inserting the phrase “that ABRA” in its place.

3015 (6) Paragraph (7) is amended by striking the phrase “if the Mayor determines”  
3016 and inserting the phrase “if the ABC Board determines” in its place.

3017 (7) Paragraph (10)(A) is amended by striking the phrase “apply to the Mayor” and  
3018 inserting the phrase “apply to the ABC Board” in its place.

3019 (8) Paragraph (14) is amended by striking the phrase “notify the Department” and  
3020 inserting the phrase “notify ABRA” in its place.

3021 (e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

3022 (1) Subsection (d) is amended as follows:

3023 (A) Paragraph (1) is amended by striking the phrase “with the Mayor” and  
3024 inserting the phrase “with ABRA” in its place.

3025 (B) Paragraph (3)(A) is amended by striking the phrase “determined by  
3026 rulemaking” and inserting the phrase “determined by the Mayor by rules issued in accordance

3027 with section 14” in its place.

3028 (C) Paragraph (4) is amended by striking the phrase “the Mayor” and  
3029 inserting the phrase “the ABC Board” in its place.

3030 (D) Paragraph (5) is amended to read as follows:

3031 “(5)(A) An application for registration of a dispensary, cultivation center, or  
3032 testing laboratory submitted by a medical cannabis certified business enterprise, or applicant  
3033 eligible to be a medical cannabis certified business enterprise, shall be awarded a preference  
3034 point equal to 50 points or 20% of the available points, whichever is more.

3035 “(B) A medical cannabis certified enterprise shall:

3036 “(i) Have one or more owners who are economically  
3037 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or  
3038 cultural bias because of their identity as a member of a group without regard to their individual  
3039 qualities and who are District residents and individually or collectively own at least 60% of the  
3040 licensed business enterprise;

3041 “(ii) Have one or more owners whose income does not exceed  
3042 \$349,999, who are residents of the District, and whose net worth, excluding the value of their  
3043 residence, does not exceed \$1 million, and individually or collectively own at least 60% of the  
3044 licensed business enterprise;

3045                                   “(iii) Have a chief executive officer and its highest-level  
3046 managerial employees perform their managerial functions in a principal office located in the  
3047 District;

3048                                   “(iv) Have at least 50% of its employees be residents of the  
3049 District;

3050                                   “(v) Have at least 50% of its contractors be residents of the  
3051 District; and

3052                                   “(vi) Have at least 80% of the assets of the certified business  
3053 enterprise, including bank accounts, be in the District.

3054                                   “(C) An applicant seeking to qualify as a medical cannabis certified  
3055 business enterprise shall submit with the application for registration of a dispensary, cultivation  
3056 center, or testing laboratory, an affidavit attesting to:

3057                                   “(i) The number of owners of the applicant who are economically  
3058 disadvantaged individuals or individuals who have been subjected to racial or ethnic prejudice or  
3059 cultural bias because of their identity as a member of a group without regard to their individual  
3060 qualities;

3061                                   “(ii) The ownership interest of any owners of the applicant who are  
3062 economically disadvantaged individuals or individuals who have been subjected to racial or  
3063 ethnic prejudice or cultural bias because of their identity as a member of a group without regard  
3064 to their individual qualities;



3065                                   “(iii) The number of employees of the applicant who are  
3066 economically disadvantaged individuals or individuals who have been subjected to racial or  
3067 ethnic prejudice or cultural bias because of their identity as a member of a group without regard to  
3068 their individual qualities; and

3069                                   “(iv) The number of contractors of the applicant who are  
3070 economically disadvantaged individuals or individuals who have been subjected to racial or  
3071 ethnic prejudice or cultural bias because of their identity as a member of a group without regard  
3072 to their individual qualities.”.

3073                                   “(D) For the purpose of this paragraph, the term:

3074                                   “(i) “Economically disadvantaged individual” shall have the same  
3075 meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise  
3076 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.  
3077 Official Code § 2-218.02(7)).

3078                                   “(ii) “Medical cannabis certified business enterprise” means a  
3079 certified business enterprise, as that term is defined in section 2302(1D) of the Small and  
3080 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,  
3081 2005; (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)), that operates a medical cannabis  
3082 business as a dispensary, cultivation center, or testing laboratory.”.

3083                                   (2) Subsection (e)(3) is amended by striking the phrase “that the Mayor may  
3084 allow” and inserting the phrase “that the ABC Board may allow” in its place.

3085 (3) Subsection (g-2) is amended by striking the phrase “the Mayor” and inserting  
3086 the phrase “the ABC Board” in its place.

3087 (4) Subsection (g-3) is amended by striking the phrase “the Mayor” and inserting  
3088 the phrase “the ABC Board” in its place.

3089 (5) Subsection (j) is amended by striking the phrase “the Mayor” and inserting the  
3090 phrase “the ABC Board” in its place.

3091 (f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase “to  
3092 the Department” and inserting the phrase “to ABRA” in its place.

3093 (g) Section 14 (D.C. Official Code § 7-1671.13) is amended by adding a new subsection  
3094 (a-1) to read as follows:

3095 “(a-1) Pursuant to the transfer of functions of the Department of Health to ABRA by D.C.  
3096 Official Code § 25-204.02, the Mayor shall issue rules in accordance with subsection (b) of this  
3097 section, which rules shall allow registered dispensaries to provide medical marijuana to  
3098 qualifying patients through delivery, curbside pickup, and at-the-door options.”.

3099 (h) A new section 9a is added to read as follows:

3100 “Sec. 9a. Medical Cannabis Administration Fund.

3101 “(a) There is established as a special fund the Medical Cannabis Administration Fund  
3102 (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this  
3103 section.

3104           “(b) All funds received from medical cannabis licensing, permitting, and registration fees  
3105 shall be deposited into the Fund.

3106           “(c) Money deposited in the Fund shall be used by ABRA for the purpose of  
3107 administering the medical marijuana program.

3108           “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund  
3109 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any  
3110 other time.

3111           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3112 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

3113           “(e) Funds received from penalties and fines imposed under section 9 shall be credited to  
3114 the unassigned fund balance of the General Fund of the District of Columbia.”.

3115           Sec. 5013. Chapter 2 of Title 25 of the District of Columbia Official Code is amended as  
3116 follows:

3117           (a) The table of contents is amended by adding a new section designation to read as  
3118 follows:

3119           “~~§~~25-204.02. Medical marijuana program; transfer of functions of the Department of  
3120 Health.”.

3121           (b) A new section 25-204.02 is added to read as follows:

3122           “§ 25-204.02. Medical marijuana program; transfer of functions of the Department of  
3123 Health.

3124           “(a) The Board and ABRA shall be responsible for carrying out the responsibilities  
3125 assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1998,  
3126 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*)  
3127 (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the Medical  
3128 Marijuana Act that the Mayor delegates to the Board or ABRA.

3129           “(b)(1) Except as provided in paragraph (2) of this subsection, all personal property,  
3130 assets, records, including both electronic and physical files, licensing agreements, and contracts,  
3131 equipment, computer software, obligations, and unexpended balances of appropriations,  
3132 allocations, assets, and liabilities, and other funds available or to be made available relating to  
3133 the powers, duties, functions, operations, and administration by the Department of Health of the  
3134 medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment  
3135 Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-  
3136 1671.01 *et seq.*), as of September 30, 2020, are transferred to ABRA.

3137           “(2) This subsection shall not apply to the personal property, assets, records,  
3138 including both electronic and physical files, licensing agreements, and contracts, equipment,  
3139 computer software, obligations, and unexpended balances of appropriations, allocations, assets,  
3140 and liabilities, and other funds available or to be made available relating to the powers, duties,  
3141 functions, operations, and administration by the Department of Health of the medical marijuana  
3142 program that are within the purview of the Board of Medicine, Board of Nursing, or Board of  
3143 Dentistry.

3144           “(c) All rules, orders, obligations, determinations, contracts, agreements, and  
3145 understandings of the Department of Health pertaining to the medical marijuana program shall  
3146 remain in effect until such time as they may be lawfully amended, modified, or repealed.

3147           “(d) ABRA shall coordinate with the Department of Health regarding the transition of the  
3148 administration of the medical marijuana program to ABRA.

3149           “(e)(1) The directors of ABRA and the Department of Health shall jointly determine  
3150 which personnel, if any, of the Department of Health associated with the administration of the  
3151 medical marijuana program shall be transferred from the Department of Health to ABRA.

3152           “(2) Personnel who are transferred to ABRA pursuant to this subsection shall be  
3153 subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the  
3154 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March  
3155 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to  
3156 employment classifications and pay scales.”.

3157           **SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS**

3158           **QUALITY IMPROVEMENTS**

3159           Sec. 5021. Short title.

3160           This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality  
3161 Improvements Amendment Act of 2020”.

3162           Sec. 5022. Section 47-1273 of the District of Columbia Official Code is amended by  
3163 striking the figure “5.5%” and inserting the figure “6.0%” in its place.

3164           **SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT**

3165           Sec. 5031. Short title.

3166           This subtitle may be cited as the “Medicaid Reserve Re-~~establishment~~Establishment  
3167 Amendment Act of 2020”.

3168           Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective  
3169 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as  
3170 follows:

3171           (a) Section 8a (D.C. Official Code § 7-771.07a), is amended ~~as~~by adding a new  
3172 subsection (a-3) to read as follows:

3173           “(a-3) For Fiscal Year 2021, the Director may issue grants pursuant to section  
3174 8b(b)(4)(B)(ii) and (iii).”.

3175           (b) A new section 8b is added to read as follows:

3176           “Sec. 8b. Medicaid reserve.

3177           “(a) Beginning October 1, 2020, a Medicaid reserve shall be re-established as paper  
3178 agency of the Department.

3179           “(b) Notwithstanding D.C. Official Code §§ 47-361, 47-362, 47-363, and 47-365, funds  
3180 may be transferred from the Medicaid reserve to the Department:

3181           “(1) To pay expenses associated with increased Medicaid enrollment or service  
3182 utilization upon a determination by the Agency Fiscal Officer that available funds within the  
3183 Department are projected to be exhausted;

3184                   “(2) To pay expenses associated increased costs of Medicaid services upon a  
3185 determination by the Agency Fiscal Officer that available funds within the Department are  
3186 projected to be exhausted;

3187                   “(3) To satisfy the District’s requirement that sufficient funds ~~are~~be available to  
3188 support a Department contract or a grant; and

3189                   “(4) Provided that sufficient funds are still available within the Medicaid reserve  
3190 to ensure a ~~n-anti~~ deficiency will not occur at the Department, to support the following health  
3191 innovations within the Department:

3192                                 “(A) To create a Medicaid Buy-In Program;

3193                                 “(B) To fund telehealth programs including:

3194   “(i) Maintaining audio-only telehealth programs after a public  
3195 health emergency, ~~notwithstanding section 2(4) of the Telehealth Reimbursement Act of 2013,~~  
3196 ~~effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4));~~

3197   “(ii) Funding the Postpartum Coverage Expansion Amendment Act  
3198 of 2020, passed on 2nd reading on July 21, 2020 (Enrolled version of ~~(Bill 23-326)~~; and

3199   “(iii) Issuing contracts or grants for the purposes of expanding  
3200 District health care providers’ digital or telehealth capacity, including, for example, such  
3201 innovations as the creation or expansion of patient care coordination platforms to enable  
3202 nonprofit entities and practitioners to communicate with Medicaid beneficiaries’ clinical and  
3203 recovery support care teams in real time to improve continuity of care and ensure proper follow-

3204 up, including the purchase of telecommunications services, information services, devices,  
3205 software, remote patient monitoring tools, and digital health tools; and

3206 “(C) To fund reforms to the DC Healthcare Alliance Program, including:

3207 “(i) Allowing eligible District residents to submit Alliance  
3208 applications electronically, without a face-to-face interview with the Department of Human  
3209 Services, during a public health emergency;

3210 “(ii) Allowing Alliance clients to submit recertification  
3211 applications to health care providers approved by the Department, without a face-to-face  
3212 interview with the Department of Human Services, after a public health emergency; and

3213 “(iii) Extending the Alliance eligibility period from 6 months to  
3214 one year.

3215 “(c) The Office of the Chief Financial Officer shall notify the Budget Director of the  
3216 Council of the District of Columbia ~~and the Council of the District of Columbia~~ in writing within  
3217 3 business days whenever a transfer is made from the Medicaid reserve pursuant to this section.

3218 The notice shall set forth the amount and purpose of the transfer.

3219 “(d) Funds may be reprogrammed from the Medicaid reserve for purposes other than  
3220 those detailed in subsection (b) of this section, subject to ~~s~~Subchapter IV of Chapter 3 of Title 47  
3221 of the D.C. Official Code; provided, that the Office of the Chief Financial Officer determines  
3222 that sufficient funds are still available within the Medicaid reserve to ensure a ~~n-anti~~-deficiency  
3223 will not occur at the Department.”.



3224            **SUBTITLE E. TELEHEALTH REIMBURSEMENT**

3225            Sec. 5041. Short title.

3226            This subtitle may be cited as the “Telehealth Reimbursement Amendment Act of 2020”.

3227            Sec. 5042. Section 2(4) of the Telehealth Reimbursement Act of 2013, effective October  
3228 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4)), is amended by striking the phrase  
3229 “through audio only telephones, electronic mail messages, or facsimile” and inserting the phrase  
3230 “through email messages or facsimile” in its place.

3231            **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

3232            **SUBTITLE A. OPPORTUNITY ACCOUNTS**

3233            Sec. 6001. Short title.

3234            This subtitle may be cited as the “Opportunity Accounts Expansion Amendment Act of  
3235 2020”.

3236            Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-  
3237 266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

3238            (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph  
3239 (2A) to read as follows:

3240            “(2A) “Commissioner” means the Commissioner of the Department of Insurance,  
3241 Securities, and Banking.”.

3242            (b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

3243 (1) Paragraph (2) is amended by striking the phrase “per account.” and inserting  
3244 the phrase “per account, except as provided in paragraph (3) of this subsection.” in its place.

3245 (2) A new paragraph (3) is added to read as follows:

3246 “(3) The Commissioner may waive the requirement in subsection (a) of this  
3247 section and may provide matching funds of up to \$4 for every dollar the account holder deposits  
3248 into the opportunity account when adequate federal or private matching funds are not available.  
3249 For each additional dollar of matching funds that the District provides to an opportunity account  
3250 pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this  
3251 subsection for that account shall be increased by \$1.”.

3252 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

3253 (1) Paragraph (6) is repealed.

3254 (2) Paragraph (8) is amended by striking the period at the end and inserting the  
3255 phrase “; and” in its place.

3256 (3) A new paragraph (9) is added to read as follows:

3257 “(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to  
3258 section 14.”.

3259 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

3260 (1) Subsection (b) is amended as follows:

3261 (i) Paragraph (2) is amended by striking the phrase “; or” and inserting a  
3262 semicolon in its place.

3263 (ii) Paragraph (3) is amended by striking the period and inserting the  
3264 phrase “; and” in its place.

3265 (iii) A new paragraph (4) is added to read as follows:

3266 “(4) Making health insurance premium payments in the event of a sudden,  
3267 unexpected loss of income.”.

3268 (2) Subsection (c) is repealed.

3269 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

3270 “(c-1) If an account holder makes an emergency withdrawal for the purposes of  
3271 subsection (b)(2) or (3) of this section, the account holder shall only withdraw funds deposited  
3272 by the account holder and shall not withdraw matching funds.

3273 “(c-2) If an account holder makes an emergency withdrawal for the purposes of  
3274 subsection (b)(1) of this section, the account holder shall only withdraw funds deposited by the  
3275 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical  
3276 emergency.

3277 “(c-3) If an account holder makes an emergency withdrawal for the purposes of  
3278 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the  
3279 account holder and matching funds.”.

3280 (4) The lead-in language of subsection (e) is amended to read as follows:

3281 “~~(e)~~ An account holder shall not be required to repay funds withdrawn from the  
3282 opportunity account for an emergency withdrawal but must resume making deposits into the

3283 opportunity account within 90 days after the emergency withdrawal. If the account holder fails to  
3284 make a deposit within 90 days after the emergency withdrawal.”.

3285 **SUBTITLE B. GREEN BUILDING FUND USE EXPANSION**

3286 Sec. 6011. Short title.

3287 This subtitle may be cited as the “Green Building Fund Amendment Act of 2020”.

3288 Sec. 6012. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007  
3289 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

3290 (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon  
3291 in its place.

3292 (b) Subparagraph (E) is amended by striking the period and inserting the phrase “; and”  
3293 in its place.

3294 (c) A new subparagraph (F) is added to read as follows:

3295 “(F) Costs incurred to make green building materials accessible to low-  
3296 income residents.”.

3297 **SUBTITLE C. GAME OF SKILL MACHINES**

3298 Sec. 6021. Short title.

3299 This subtitle may be cited as the “Game of Skill Machines Consumer Protection Act of  
3300 2020”.

3301           Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles  
3302 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;  
3303 D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

3304           (a) Section 3 (D.C. Official Code § 22-1716) is amended by striking the phrase “Monte  
3305 Carlo night parties,” and inserting the phrase “Monte Carlo night parties, game of skill  
3306 machines,” in its place.

3307           (b) Section 3 (D.C. Official Code § 22-1717) is amended by striking the period and  
3308 inserting the phrase “, or game of skill machines licensed and regulated by the Office of Lottery  
3309 and Gaming.” in its place.

3310           (c) Section 3(a) (D.C. Official Code § 22-1718(a)) is amended by striking the period and  
3311 inserting the phrase “, or the manufacture, distribution, servicing, retailing, sale, lease, purchase,  
3312 or possession of machines, tickets, slips, certificates, or cards for game of skill machines  
3313 excepted and permissible pursuant to this act.” in its place.

3314           (d) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

3315                   (1) The section heading is amended to read as follows:

3316                   “Sec. 4. Lottery, Gambling, and Gaming Fund.”.

3317                   (2) Subsection (a) is amended to read as follows:

3318                   “(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund

3319 (“Fund”), which shall be administered by the Chief Financial Officer. Revenue from the

3320 following sources shall be deposited into the Fund or a division of the Fund as established by the

3321 Chief Financial Officer:

3322                   “(1) All funds generated by gambling activities operated or licensed by the Chief

3323 Financial Officer; and

3324                   “(2) All fees collected pursuant to sections 406 through 409.”.

3325                   (3) Subsection (c) is amended by striking the word “gambling” and inserting the

3326 phrase “gambling and gaming” in its place.

3327                   (e) A new Title IV is added to read as follows:

3328                   “TITLE IV. GAME OF SKILL MACHINES.

3329                   “Sec. 401. Definitions

3330                   “For purposes of this title, the term:

3331                   “(1) “ABC Board” means the Alcoholic Beverage Control Board.

3332                   “(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

3333                   “(3) “CFO” means the Chief Financial Officer of the District of Columbia.

3334                   “(4) “Centralized accounting system” and “CAS” mean the accounting system  
3335 linked by a communications network as described in sections 410 and 414.

3336                   “(5) “Distributor” means a person licensed under this title to buy, sell, lease,  
3337 maintain, or service game of skill machines, or any major components or parts of a game of skill  
3338 machine, for distribution to retailers.

3339                   “(6) “Game of skill machine” means a mechanical or electronic gaming device  
3340 that rewards the winning player or players with cash, a gift card, or a voucher that can be  
3341 redeemed for cash. The term “game of skill machine” does not include a mechanical or  
3342 electronic gaming device if:

3343                   “(A) The ability of a player to succeed at the game is impacted by the  
3344 number or ratio of prior wins to prior losses of players playing the game;

3345                   “(B) The outcome of the game can be controlled by a source other than a  
3346 player playing the game;

3347                   “(C) The success of a player is or may be determined by a chance event  
3348 that cannot be altered by the player’s actions;

3349                   “(D) The ability of a player to succeed at the game is impacted by game  
3350 features not visible or known to a reasonable player; or

3351                   “(E) The ability of a player to succeed at the game is impacted by the  
3352 exercise of skill that no reasonable player could exercise.

3353                   “(7) “Gross game of skill machine revenue” means the total of cash or cash  
3354 equivalents received from a game of skill machine minus the total of:

3355                   “(A) Cash or cash equivalents paid to players as a result of a game of skill  
3356 machine;

3357                   “(B) Cash or cash equivalents paid to purchase annuities to fund prizes  
3358 payable to players over a period of time as a result of a game of skill machine; and

3359                   “(C) The actual cost paid by the license holder for personal property  
3360 distributed to a player as a result of a game of skill machine, excluding travel expenses, food,  
3361 refreshments, lodging, and services.

3362                   “(8) “Licensed establishment” means an on-premises retail establishment licensed  
3363 by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

3364                   “(9) “Licensed premises” means the physical location of a licensed establishment  
3365 that is authorized by the Office to offer game of skill machines.

3366                   “(10) “Licensee” means a person who possesses a game of skill manufacturer,  
3367 distributor, supplier, or retailer license issued by the Office.

3368                   “(11) “Manufacturer” means a person that is licensed under this title and that  
3369 manufactures or assembles game of skill machines for sale or lease to distributors.

3370                   “(12) “Office” means the Office of Lottery and Gaming.

3371                   “(13) “Retailer” means a person that is licensed under this title to offer game of  
3372 skill machines on its licensed premises.

3373                   “(14) “Supplier” means a person that is licensed under this title to supply major  
3374 components or parts of game of skill machines to licensed manufacturers or distributors.

3375                   “Sec. 402. Authorization of game of skill machines.

3376                   “The operation of game of skill machines shall be lawful in the District if conducted in  
3377 accordance with this title and the rules issued pursuant to this title.

3378                   “Sec. 403. Game of skill machine license requirements; prohibition.



3379           “(a) Except as provided in subsection (f) of this section, no person may offer or allow a  
3380 game of skill machine in the District unless all the licenses required by this title, or by a rule  
3381 issued pursuant to this title, have been duly obtained.

3382           “(b)(1) The Office shall issue the following categories of game of skill machine licenses:

3383                           “(A) Manufacturer;

3384                           “(B) Distributor;

3385                           “(C) Supplier; and

3386                           “(D) Retailer.

3387           “(2) The Office shall not grant a license listed in paragraph (1) of this subsection  
3388 until it has determined that each person that possesses 10% or greater beneficial or proprietary  
3389 interest in the applicant has been approved for licensure in accordance with this title and rules  
3390 issued pursuant to this title.

3391           “(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be  
3392 subject to District and national criminal history background checks.

3393           “(2) The applicant shall submit an application to the Office, in a form determined  
3394 by the Office, for fingerprints for a national criminal records check by the Metropolitan Police  
3395 Department and the Federal Bureau of Investigation of all individuals required to be named in  
3396 the application and a signed authorization of each individual submitting fingerprints for the  
3397 release of information by the Metropolitan Police Department and the Federal Bureau of  
3398 Investigation.

3399                   “(3) In the case of an application for license renewal, the Office may require  
3400 additional background checks.

3401                   “(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-  
3402 102.08 of an applicant for a license pursuant to this title and may, in addition, require  
3403 certification that the Citywide Clean Hands Database indicates that the proposed licensee is  
3404 current with its District taxes.

3405                   “(e) Proprietary information, trade secrets, financial information, and personal  
3406 information about a person in an application submitted to the Office pursuant to this title shall  
3407 not be a public record and shall not be made available under the Freedom of Information Act of  
3408 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any  
3409 other law.

3410                   “(f)(1) A retailer shall display its license as required by section 411(d) and shall make the  
3411 license immediately available for inspection upon request by an employee of the Office, the  
3412 Metropolitan Police Department, or ABRA.

3413                   “(2) When present at a licensed establishment, an employee of a distributor shall  
3414 carry a copy of its license and make it readily available for inspection by an employee of the  
3415 Office, the Metropolitan Police Department, or ABRA.

3416                   “(g) A licensed establishment that applied for and obtained a game of skill machine  
3417 endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e) prior to the  
3418 effective date of ~~this act~~ the Game of Skill Machines Consumer Protection Act of 2020, passed

3419 on 1st reading on July 7, 2020 (Engrossed version of Bill 23-760), shall have 180 calendar days  
3420 after the effective date of the Game of Skill Machines Consumer Protection Act of 2020, passed  
3421 on 1st reading on July 7, 2020 (Engrossed version of Bill 23-760), ~~this act~~ to come into  
3422 compliance with this title or rules issued pursuant to this title. Failure to do so may result in the  
3423 Office taking action against the licensed establishment in accordance with section 417.

3424 “Sec. 404. License prohibitions; suspensions and revocation of licenses.

3425 “(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office  
3426 shall define disqualifying offenses by a rule issued pursuant to this title.

3427 “(b) No Office or ABRA employee, or immediate family member of an Office or ABRA  
3428 employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this  
3429 title.

3430 “(c) Failure of an applicant or licensee to notify the Office of a change to the information  
3431 provided in its application for license or renewal within 10 days after the change may result in  
3432 the Office suspending or revoking the licensee’s license, denying the applicant’s license, or  
3433 issuing a fine.

3434 “(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a  
3435 license previously granted, if evidence satisfactory to the Office exists that the applicant or  
3436 licensee has:

3437 “(A) Knowingly made a false statement of a material fact to the Office;

3438                           “(B) Had a license revoked by a governmental authority responsible for  
3439 regulation of games of skill;

3440                           “(C) Been convicted of a felony and has not received a pardon or been  
3441 released from parole or probation for at least 5 years; or

3442                           “(D) Been convicted of a gambling-related offense or a theft or fraud  
3443 offense.

3444                           “(2) The Office may deny a license to an applicant or suspend or revoke a license  
3445 of a licensee if the applicant or licensee:

3446                           “(A) Has not demonstrated, to the satisfaction of the Office, financial  
3447 responsibility sufficient to adequately meet the requirement of the proposed activity;

3448                           “(B) Is not the true owner of the licensed business or has not disclosed the  
3449 existence or identity of another individual or entity that has an ownership interest in the business;

3450 or

3451                           “(C) Is a corporation that sells more than 5% of a licensee’s voting stock,  
3452 more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s  
3453 assets to an individual or entity not already determined by the Office to have met the  
3454 qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not  
3455 already determined by the Office to have met the qualifications of a licensee pursuant to this title  
3456 holds more than 10% interest in the non-corporate entity.

3457                           “Sec. 405. Conflicts of interest.

3458           “(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the  
3459 Office shall determine that the applicant is not disqualified because of a conflicting interest in  
3460 another license.

3461           “(b) In making a determination regarding a conflicting interest, the following standards  
3462 shall apply:

3463                   “(1) No licensee under a supplier’s license shall hold a license in another license  
3464 issued under this title.

3465                   “(2) No licensee under a distributor’s license shall hold a license in another  
3466 license issued under this title; except, that the holder of a distributor’s license may also hold a  
3467 manufacturer’s license.

3468                   “(3) No licensee under a manufacturer’s license shall hold another license issued  
3469 under this title; except, that the holder of a manufacturer’s license may also hold a distributor’s  
3470 license.

3471           “Sec. 406. Manufacturer licensure.

3472           “(a) A person may not manufacture a game of skill machine in the District unless the  
3473 person has a valid manufacturer’s license issued under this title. A manufacturer may only sell  
3474 game of skill machines for use in the District to persons having a valid distributor’s license.

3475           “(b) A person applying for a manufacturer’s license shall do so on a form prescribed by  
3476 the Office. The form shall require:

3477                   “(1) The name of the applicant;

3478                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3479 name of the state in which it is incorporated, the location of its principal place of business, and  
3480 the names and addresses of its directors;

3481                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3482 stability, such as bank statements, business and personal income and disbursement schedules,  
3483 and tax returns; and

3484                   “(4) Any other information the Office considers necessary.

3485                   “(c) In considering whether to approve an application for a distributor’s license, the  
3486 Office may consider evidence the distributor submitted to the Office of an existing license as a  
3487 distributor from another jurisdiction that the Office has determined has licensing requirements  
3488 similar to those required by the District.

3489                   “(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee  
3490 of \$10,000 with the application.

3491                   “(e) A manufacturer’s license shall be renewed annually; provided, that the licensee has  
3492 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3493 its renewal application a \$5,000 renewal fee.

3494                   “Sec. 407. Distributor licensure.

3495                   “(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of  
3496 skill machine or a major component or part of a game of skill machine for distribution in the  
3497 District unless the person has a valid distributor’s license issued by the Office.

3498           “(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a  
3499 game of skill machine or any major component or part of a game of skill machine for distribution  
3500 in the District to a licensed establishment that possesses a retailer’s license from the Office and a  
3501 game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-  
3502 113.01(e). No distributor may give anything of value, including a loan or financing agreement,  
3503 to a licensed establishment as an incentive or inducement to locate a game of skill machine in the  
3504 establishment.

3505           “(c) A person applying for a distributor’s license shall do so on a form prescribed by the  
3506 Office. The form shall require:

3507                   “(1) The name of the applicant;

3508                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3509 name of the state in which it is incorporated, the location of its principal place of business, and  
3510 the names and addresses of its directors;

3511                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3512 stability, such as bank statements, business and personal income and disbursement schedules,  
3513 and tax returns; and

3514                   “(4) Any other information the Office considers necessary.

3515           “(d) In considering whether to approve an application for a distributor’s license, the  
3516 Office may consider evidence the distributor submitted to the Office of an existing license as a

3517 distributor from another jurisdiction that the Office has determined has licensing requirements  
3518 similar to those required by the District.

3519           “(e) An applicant for a distributor’s license shall demonstrate that the equipment, system,  
3520 or device that the applicant plans to offer to retailers conforms to standards established pursuant  
3521 to this title, rules issued pursuant to this title, and other applicable law.

3522           “(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of  
3523 \$10,000 with the application.

3524           “(g) A distributor’s license shall be renewed annually; provided, that the licensee has  
3525 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3526 its renewal application a \$5,000 renewal fee.

3527           “(h) A distributor shall submit to the Office, at such times as are established by the Office  
3528 by rule, a list of all game of skill machines sold, delivered, or offered to a retailer. All such  
3529 equipment shall be tested and approved by an independent testing laboratory approved by the  
3530 Office.

3531           “Sec. 408. Supplier licensure.

3532           “(a) A person shall not sell parts or components for a game of skill machine or provide  
3533 services related to a game of skill machine unless the person has a valid supplier’s license. A  
3534 supplier may only provide parts and components for a game of skill machine or services related  
3535 to a game of skill machine for use in the District to a person having a valid manufacturer’s or  
3536 distributor’s license.



3537           “(b) A person applying for a supplier’s license shall do so on a form prescribed by the  
3538 Office. The form shall require:

3539                   “(1) The name of the applicant;

3540                   “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3541 name of the state in which it is incorporated, the location of its principal place of business, and  
3542 the names and addresses of its directors;

3543                   “(3) A report of the applicant’s financial activities, including evidence of financial  
3544 stability, such as bank statements, business and personal income and disbursement schedules,  
3545 and tax returns; and

3546                   “(4) Any other information the Office considers necessary.”.

3547           “(c) In considering whether to approve an application for a supplier’s license, the Office  
3548 may consider evidence the supplier submitted to the Office of an existing license as a supplier  
3549 from another jurisdiction that the Office has determined has licensing requirements similar to  
3550 those required by the District.

3551           “(d) An applicant for a supplier’s license shall demonstrate that the equipment,  
3552 components, or parts that the applicant plans to offer to manufacturers or distributors conform to  
3553 standards established pursuant to this title, rules issued pursuant to this title, and other applicable  
3554 law.

3555           “(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of  
3556 \$2,000 with the application.

3557           “(f) A supplier’s license shall be renewed annually; provided, that the licensee has  
3558 continued to comply with all statutory and regulatory requirements and pays upon submission of  
3559 its renewal application a \$1,000 renewal fee.

3560           “(g) A supplier shall submit to the Office, at such times as are established by the Office  
3561 by rule, a list of all components or parts for game of skill machines sold, delivered, or offered to  
3562 a manufacturer or operator. All such equipment shall be tested and approved by an independent  
3563 testing laboratory approved by the Office.

3564           “Sec. 409. Retailer licensure; registration of game of skill machines.

3565           “(a)(1) A person may not own, lease, maintain, install, make available, or offer or allow  
3566 another to play a game of skill machine in the District unless the person:

3567                           “(A) Is a licensed establishment;

3568                           “(B) Possesses a retailer’s license from the Office and a game of skill  
3569 machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e); and

3570                           “(C) Has entered into a written use agreement with a licensed distributor  
3571 for the placement or installation of a game of skill machine on the licensed premises.

3572           “(2) A person convicted of violating this subsection shall be subject to a fine not  
3573 to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license,  
3574 or all of the foregoing.

3575           “(b)(1) Each game of skill machine located on a retailer’s licensed premises shall be  
3576 registered with the Office by the retailer before the game of skill machine is installed on the  
3577 licensed premises.

3578           “(2) A retailer may register and operate up to 5 game of skill machines on the  
3579 licensed premises at any time. The registration fee for each game of skill machine shall be \$100.

3580           “(3) The Office shall issue to the retailer a registration sticker for placement on  
3581 each registered game of skill machine.

3582           “(c) A person shall apply for a retailer’s license on a form prescribed by the Office. The  
3583 form shall require:

3584           “(1) The name of the applicant;

3585           “(2) The mailing address of the applicant and, if the applicant is a corporation, the  
3586 name of the state in which it is incorporated, the location of its principal place of business, and  
3587 the names and addresses of its directors;

3588           “(3) A report of the applicant’s financial activities, including evidence of financial  
3589 stability, such as bank statements, business and personal income and disbursement schedules,  
3590 and tax returns; and

3591           “(4) Any other information the Office considers necessary.

3592           “(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300  
3593 with the application.

3594           “(e) A retailer’s license shall be renewed annually; provided, that the licensee continued  
3595 to comply with the statutory and regulatory requirements and pays upon submission of its  
3596 renewal application a \$300 renewal fee.

3597           “(f) The Office shall require a retailer to be bonded, in such amounts and in such manner  
3598 as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District  
3599 government against any actions, claims, and demands of whatever kind or nature that the District  
3600 may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

3601           “Sec. 410. Minimum requirements of game of skill machines.

3602           “(a)(1) Every game of skill machine offered for play shall first be tested and approved  
3603 pursuant to this title and rules issued pursuant to this title.

3604                   “(2) The Office shall utilize the services of an accredited independent outside  
3605 testing laboratory to test and assess each game of skill machine.

3606                   “(3) The applicant shall be responsible for paying the fees associated with testing  
3607 the game of skill machines.

3608           “(b) Every game of skill machine offered in the District shall meet the minimum  
3609 standards approved by the Office, including that a game of skill machine:

3610                   “(1) Conform to all requirements of federal law and regulations, including the  
3611 Federal Communications Commission’s Class A emissions standards;

3612                   “(2) Pay out a mathematically demonstrable percentage during the expected  
3613 lifetime of the machine of all amounts played, which shall not be less than 80%;

- 3614                   “(3) Display an accurate representation of the game outcome;
- 3615                   “(4) Not automatically alter pay tables or any function of the game of skill
- 3616 machine based on an internal computation of a hold percentage or have a means of manipulation
- 3617 that affects the random selection process or probabilities of winning a game;
- 3618                   “(5) Not be negatively affected by static discharge or other electromagnetic
- 3619 interference;
- 3620                   “(6) Be capable of displaying the following during idle status: “power reset”;
- 3621 “door open”; or “door closed”;
- 3622                   “(7) Be able to detect and display the game’s complete play history and winnings
- 3623 for the previous 10 games;
- 3624                   “(8) Not have a theoretical payback percentage capable of being changed without
- 3625 making a hardware or software change in the machine itself;
- 3626                   “(9) Be designed so that the replacement of parts or modules required for normal
- 3627 maintenance does not necessitate replacement of the electromechanical meters;
- 3628                   “(10) Contain a non-resettable meter that shall be located in a locked area of the
- 3629 machine that is accessible only by a key;
- 3630                   “(11) Be capable of storing the meter information required by paragraph (10) of
- 3631 this subsection for a minimum of 180 days after a power loss to the machine;
- 3632                   “(12) Have accounting software that keeps an electronic record that includes:
- 3633                   “(A) Total cash inserted into the game of skill machine;

3634                   “(B) The value of winning tickets awarded to players by the game of skill  
3635 machine;

3636                   “(C) The total credits played on the game of skill machine;

3637                   “(D) The total credits awarded by the game of skill machine; and

3638                   “(E) The payback percentage credited to players of the game of skill  
3639 machine;

3640                   “(13) Be linked to a centralized accounting system that will allow the Office to  
3641 activate or deactivate the game of skill machine from the centralized system remotely; and

3642                   “(14) Be linked to a centralized accounting system in accordance with section 414  
3643 by which all approved game of skill machines shall be connected for the purposes set forth in  
3644 section 414.

3645                   “(c) The CFO may issue rules to establish additional licensing and registration  
3646 requirements.

3647                   “Sec. 411. Registration; display of registration sticker, license, and warning sign;  
3648 locations of game of skill machines.

3649                   “(a) A retailer shall register each of its game of skill machines in the District with the  
3650 Office before the game of skill machine may be installed at the licensed establishment.

3651                   “(b) A retailer shall locate its game of skill machines for play only in specific locations  
3652 approved by the ABRA within the retailer’s licensed establishment.

3653           “(c) A retailer shall affix and maintain a registration sticker issued by the Office to the  
3654 game of skill machine at all times the game of skill machine is located at the establishment. If  
3655 the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office  
3656 \$75 for a replacement registration sticker.

3657           “(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good  
3658 repair and in a place clearly visible at the point of entry to the designated areas where the game  
3659 of skill machines are located. The warning sign shall include:

3660                   “(1) The minimum age required to play a game of skill machine;

3661                   “(2) The contact information for the District’s gambling hotline; and

3662                   “(3) The contact information for the Office of Lottery and Gaming for purposes of  
3663 filing a complaint against the manufacturer, supplier, distributor, or retailer.

3664           “(e) Failure to display the registration sticker, license, or warning sign may result in the  
3665 Office revoking or suspending the license or issuing a fine against the licensed establishment  
3666 pursuant to section 416.

3667           “Sec. 412. Cash award.

3668           “(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the  
3669 conclusion of the game, a player is entitled to a cash award, the game of skill machine shall  
3670 dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

3671                   “(1) The total amount of the cash award;

3672                   “(2) The time of day that the cash award was issued in a 24-hour format showing  
3673 hours and minutes, the date, the terminal serial number, and the sequential number of the ticket  
3674 or voucher; and

3675                   “(3) An encrypted validation number from which the validity of the cash award  
3676 may be determined.

3677                   “(b) A retailer shall allow a player to take the ticket or voucher to the owner of the  
3678 licensed establishment or the owner’s designee, who shall be located at the licensed  
3679 establishment, for payment of the cash award.

3680                   “Sec. 413. Game of skill machine use by minors prohibited.

3681                   “(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill  
3682 machine.

3683                   “(b) The Office may suspend or revoke a license and issue a fine, in accordance with  
3684 section 416, against a licensee that knowingly allows a person under the age of 18 to use or play  
3685 a game of skill machine.

3686                   “Sec. 414. Centralized accounting system.

3687                   “(a)(1) Within 6 months after the effective date of the Game of Skill Machines Consumer  
3688 Protection Act of 2020, passed on 1st reading on July 7, 2020 (Engrossed version of Bill 23-  
3689 760) this title, the Office shall issue a solicitation to procure a centralized accounting system,  
3690 which shall be administered by the Office and designed and operated to allow the monitoring and



3691 reading of all game of skill machines for the purpose of compliance with this title and rules  
3692 issued pursuant to this title.

3693 “(2) When the Office is satisfied with the operation of the CAS, it shall:

3694 “(A) Certify the effective status of the system; and

3695 “(B) Notify all retailers of the date by which the retailer’s game of skill  
3696 machines must be linked to the CAS.

3697 “(b)(1)(A) A game of skill machine approved prior to the effective date of ~~this title the~~  
3698 Game of Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020  
3699 (Engrossed version of Bill 23-760), shall be connected to the CAS within one year after  
3700 notification pursuant to subsection (a)(2) of this section.

3701 “(B) A game of skill machine approved on or after the effective date of the  
3702 Game of Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020  
3703 (Engrossed version of Bill 23-760), ~~this title~~ but prior to the deployment of the CAS shall be  
3704 connected within 6 months after notification pursuant subsection (a)(2) of this section.

3705 “(C) A game of skill machine approved after the effective date of the  
3706 Game of Skill Machines Consumer Protection Act of 2020, passed on 1st reading on July 7, 2020  
3707 (Engrossed version of Bill 23-760), ~~this title~~ and after deployment of the CAS shall be connected  
3708 to the CAS prior to operation of the game of skill machine.

3709 “(2) After a game of skill machine has been connected to the CAS, it shall remain  
3710 connected as required by the Office.

3711           “(c) All game of skill machines registered in the District shall be linked to the CAS for  
3712 purposes of accounting, reporting, monitoring, and reading machine activities as provided for in  
3713 this title or rules issued pursuant to this title.

3714           “(d) The CAS shall not provide for the monitoring or reading of personal or financial  
3715 information concerning patrons of game of skill machines.

3716           “(e) Employees and agents of a contractor or subcontractor of the Office that is engaged  
3717 in building, operating, maintaining, or contracting to build, operate, or maintain the CAS, and the  
3718 immediate family members of such employees and agents, shall be prohibited from obtaining a  
3719 license under this title.

3720           “(f) Unless a retailer’s license is cancelled, suspended, or revoked, nothing in this section  
3721 shall authorize the Office to limit or eliminate a registered game of skill from the CAS.

3722           “Sec. 415. Insurance.

3723           “Each distributor shall maintain liability insurance on all game of skill machines that it  
3724 places in a licensed establishment in an amount set by the Office by rule issued pursuant to this  
3725 title.

3726           “Sec. 416. Penalties.

3727           “(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office  
3728 may:

3729                   “(1) Impose a fine of not more than \$50,000;

3730                   “(2) Revoke a licensee’s license; or

3731 “(3) Suspend the licensee’s license for up to one year.

3732 “(b) A person that has been fined or whose application has been denied, revoked, or  
3733 suspended pursuant to this section shall have a right to a hearing before the Office and, in the  
3734 event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal  
3735 the decision of the Office to the Superior Court of the District of Columbia.

3736 “(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a  
3737 retailers license.

3738 “Sec. 417. Authority of the Office.

3739 “(a) The Office may enforce the provisions of this title with respect to licensees and any  
3740 individual or entity not holding a license and offering a game of skill machine in violation of the  
3741 provisions of this title or rules issued pursuant to this title.

3742 “(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police  
3743 Department may issue citations for civil violations of this title as set forth in rules issued  
3744 pursuant to this title.

3745 “(c) A citation for a violation for which the penalty includes the suspension or revocation  
3746 of a license shall be issued by the Office as a result of an investigation carried out by the Office.

3747 “(d) The Office may request and check the identification of a person who has played, is  
3748 playing, or is attempting to play a game of skill machine. The Office may seize evidence that  
3749 substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash

3750 awards issued to a person under the age of 18 and fake identification documents used by a person  
3751 under the age of 18.

3752 “(e) The Office may seize a game of skill machine license from an establishment if:

3753 “(1) The game of skill machine license has been suspended, revoked, or cancelled  
3754 by the Office;

3755 “(2) The business is no longer in existence; or

3756 “(3) The business has been closed by another District government agency.

3757 “Sec. 418. Investigations and inspections.

3758 “(a) The Office may conduct investigations, searches, seizures, and perform other duties  
3759 authorized by this title and rules issued pursuant to this title.

3760 “(b) An applicant for a license and each licensee shall allow an authorized member of the  
3761 Office, an ABRA investigator, or any member of the Metropolitan Police Department full  
3762 opportunity to examine at any time during business hours:

3763 “(1) The location on the premises where game of skill machines are available to  
3764 play; and

3765 “(2) The books and records of the licensee or applicant.

3766 “Sec. 419. Unlawful acts; action by the Attorney General.

3767 “(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or  
3768 agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make

3769 a false or misleading representation concerning an individual’s chances, likelihood, or  
3770 probability of winning at playing a game of skill machine.

3771 “(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false  
3772 or misleading statement by a licensee shall have a cause of action in a court of competent  
3773 jurisdiction for damages and any legal or equitable relief as may be appropriate.

3774 “(b) The Attorney General for the District of Columbia, in the name of the District of  
3775 Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an  
3776 individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or -rule  
3777 issued pursuant to this title.

3778 “Sec. 420. Taxation of game of skill machines.

3779 “(a)(1) On or before the 20th day of each month, each retailer shall:

3780 “(A) File a return, on forms and in the manner prescribed by the CFO,  
3781 with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s  
3782 game of skill machines for the preceding calendar month; and

3783 “(B) Pay to the District of Columbia Treasurer 10% of the gross game of  
3784 skill machine revenue for the preceding month.

3785 “(b) All funds owed to the District under this section shall be held in trust within the  
3786 boundaries of the District for the District by the retailer until the funds are paid to the District of  
3787 Columbia Treasurer.

3788           “(c) A retailer that falsely reports or fails to report the amount due as required by this  
3789 section may be fined or imprisoned in accordance with Title 22 of the District of Columbia  
3790 Official Code and shall have its retailer’s license revoked.

3791           “(d) A retailer shall keep a record of the gross game of skill machine revenue, awards,  
3792 and net income of each game of skill machine in such form as the Office may require.

3793           “(e) A payment required by this section that is not remitted when due shall be assessed a  
3794 late payment penalty in amount set forth in D.-C. Official Code § 47-4213.

3795           “(f) In the case of an underpayment of the tax required by this section, there shall be  
3796 added to the tax, an amount of interest determined by applying the underpayment rate set forth in  
3797 D.C. Official Code § 47-4201 to the amount of the underpayment for the period of the  
3798 underpayment.

3799           “Sec. 421. Deposit of license fees.

3800           “All fees collected under sections ~~405-406~~ through ~~408-409~~ shall be deposited in the  
3801 Lottery, Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-  
3802 601.12).”.

3803           “Sec. 422. Rules and regulations governing game of skill machines.

3804           “(a) The CFO, pursuant to section 424(d) of the District of Columbia Home Rule Act,  
3805 approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24d), shall issue rules to  
3806 implement the provisions of this title.

3807           “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

- 3808                   “(1) Standards for conducting inspections of game of skill machines for  
3809 compliance with industry standards;
- 3810                   “(2) Standards for inspecting licensed establishments for compliance with this  
3811 title;
- 3812                   “(3) Minimum and maximum payment amounts for playing game of skill  
3813 machines;
- 3814                   “(4) The maximum amount of allowable winnings per game;
- 3815                   “(5) Requirements relating to how fees and taxes are to be remitted;
- 3816                   “(6) The method of accounting to be used by a licensed establishment where a  
3817 game of skill machine is authorized;
- 3818                   “(7) Methods of age verification;
- 3819                   “(8) Types of records that shall be required to be maintained by a licensee;
- 3820                   “(9) Posting requirements;
- 3821                   “(10) Advertising guidelines, including specific language concerning individuals  
3822 under the age of 18;
- 3823                   “(11) Penalties for a violation of this title or rule issued pursuant to this title; and  
3824                   “(12) Internal control standards for game of skill machines.”

3825                   Sec. 6023. Title 25 of the District of Columbia Official Code is amended as follows:

3826                   (a) Section 25-101 is amended as follows:

3827                   (1) A new paragraph (22B) is added to read as follows:

3828                   “(22B) “Game of skill machine” has the meaning set forth in section 401(5) of the  
3829 Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable  
3830 Purposes in the District of Columbia, passed on 1st reading on July 7, 2020 (Engrossed version  
3831 of as introduced on May 18, 2020 (Bill 23-760).”.

3832                   (2) A new paragraph (53A) is added to read as follows:

3833                   “(53A) “Voucher” means a ticket issued by a game of skill machine that is  
3834 redeemable for cash winnings.”.

3835                   (b) Section 25-113a is amended as follows:

3836                   (1) The section is redesignated as § 25-113.01.

3837                   (2) The section heading is amended to read as follows:

3838                   “§ 25-113.01. License endorsements.”.

3839                   (3) A new subsection (e) is added to read as follows:

3840                   “(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales  
3841 and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,  
3842 D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in  
3843 order to offer a game of skill machine on the licensed premises.

3844                   “(2)(A) A game of skill machine shall not be placed on outdoor public or private  
3845 space; provided, that the Board, in its discretion, may allow for the placement of a game of skill  
3846 on outdoor public or private space if, in the Board’s determination, activity associated with the  
3847 game of skill machine is:



- 3848                                   “(i) Not visible from a public street or sidewalk;  
3849                                   “(ii) Adequately secured against unauthorized entrance; and  
3850                                   “(iii) Accessible only by patrons from within the establishment.

3851                                   “(B) Subparagraph (A) of this paragraph shall not apply to a licensee  
3852 operating a passenger-carrying marine vessel in accordance with § 25-113(h).”.

3853                                   (c) Section 25-401 is amended by adding a new subsection (e) to read as follows:

3854                                   “(e) An applicant for a game of skill machine endorsement shall submit to the Board with  
3855 its application:

3856                                   “(1) A diagram of where the game of skill machines will be placed on the licensed  
3857 premises; and

3858                                   “(2) The name of the manufacturer and distributor of the game of skill machines  
3859 and documentation reflecting that the manufacturer and distributor are licensed to do business  
3860 and pays taxes in the District of Columbia.”.

3861                                   (d) Section 25-508 is amended to read as follows:

3862                                   “25-508. Minimum fee for permits, and manager’s license, and endorsement.

3863                                   “The minimum fees for permits, manager’s license, and endorsement shall be as follows:

3864                                   “Tasting permit for class A licensees	\$100/year
3865                                   “Importation permit	\$5
3866                                   “Manager’s license	\$100/year
3867                                   “On-site sales and consumption permit	\$1,000/year

3868 “Game of skill machine endorsement \$200”.

3869 (e) Chapter 7 is amended as follows:

3870 (1) The table of contents is amended by adding a new section designation to read  
3871 as follows:

3872 “~~§~~25-786. Game of skill machine operating requirements.”.

3873 (2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

3874 “(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed  
3875 establishment.”.

3876 (3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

3877 “(c) Advertisements related to game of skill machines shall not be placed on the interior  
3878 or exterior of a window or on the exterior of a door that is used to enter or exit the licensed  
3879 establishment.”.

3880 (4) A new section 25-786 is added to read as follows:

3881 “§ 25-786. Game of skill machine operating requirements.

3882 “A licensee with a game of skill machine endorsement shall:

3883 “(1) Not allow or permit a person under 18 years of age to play a game of skill  
3884 machine and shall designate an employee to regularly monitor the designated area where game of  
3885 skill machines are played to ensure that no person under 18 years of age is playing or attempting  
3886 to play a game of skill machine;

3887                   “(2) Verify that each person playing a game of skill machine is lawfully permitted  
3888 to do so by checking the person’s government-issued identification document upon entry into  
3889 either the licensed establishment or the designated area where the game of skill machines are  
3890 located and where the person seeks to cash out his or her winnings, if any; except, that the failure  
3891 of a licensee to verify a person’s identification shall not be a violation of this paragraph if the  
3892 person whose identification was not checked is 18 years of age or older;

3893                   “(3) Not allow or permit a person that appears intoxicated or under the influence  
3894 of a narcotic or other substance to play a game of skill machine;

3895                   “(4) Not share revenue from the licensee’s sale of alcohol with a manufacturer or  
3896 distributor of a game of skill machine, unless approved by the Board as an owner of the license;

3897                   “(5) Not allow or permit the placement of a game of skill machine on an outdoor  
3898 public or private space that has not been approved by the Board;

3899                   “(6) Not allow or permit the placement of a game of skill machine outside of the  
3900 designated areas contained on the applicant’s diagram provided as part of the license application  
3901 or outside the areas approved by the Board;

3902                   “(7) Not have more than 5 game of skill machines on the licensed premises; and

3903                   “(8) Install security cameras that are operational and record for 30 days, in the  
3904 areas designated for game of skill machines, near the cash register or terminal where cash  
3905 winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

3906                   (f) Section 25-801 is amended by adding a new subsection (h) to read as follows:

3907           “(h) An ABRA investigator may request and check the identification of a person who has  
3908 played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may  
3909 seize fake identification used by a person under 18 years of age and may seize such records  
3910 related to a game of skill machine as the investigator deems appropriate to investigate the  
3911 playing of a game of skill machine by a person under 18 years of age.”.

3912           Sec. 6024. Section 865 of An Act To establish a code of law for the District of Columbia,  
3913 approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

3914           (a) The existing text is designated as subsection (a).

3915           (b) A new subsection (b) is added to read as follows:

3916           “(b) It shall be unlawful to install or operate a game of skill machine in the District  
3917 except as permitted by D.C. Official Code § 25-113.01(e). Whoever shall install or operate a  
3918 game of skill machine at a location not licensed under Title 25 of the ~~District of Columbia~~  
3919 Official Code shall be punished by imprisonment for a term of 180 days or fined not more than  
3920 the amount set forth in § 22-3571.01, or both.”.

3921           **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

3922           Sec. 6031. Short title.

3923           This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Amendment Act  
3924 of 2020”.

3925           Sec. 6032. Section 9f of the Department of Transportation Establishment Act, effective  
3926   September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as  
3927   follows:

3928           “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

3929           “(a) There is established the Parking Meter and Transit Services Pay-by-Phone  
3930   Transaction Fee Fund (“Fund”), which shall be administered by the director of the District  
3931   Department of Transportation in accordance with subsection (c) of this section.

3932           “(b) The following revenue shall be deposited in the Fund:

3933                   “(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle  
3934   Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–  
3935   2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital  
3936   Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-  
3937   phone system; and

3938                   “(2) All money remaining in the District Department of Transportation Parking  
3939   Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

3940           “(c) Money in the Fund shall be used to pay vendors responsible for administering pay-  
3941   by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of  
3942   shared mobility and transportation services.

3943           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
3944 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
3945 of a fiscal year, or at any other time.

3946           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3947 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3948           Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility  
3949 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)),  
3950 is amended by striking the phrase “to be transferred to the District Department of Transportation  
3951 Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance  
3952 with section 9f of the Department of Transportation Establishment Act of 2002, effective  
3953 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)” and inserting the  
3954 phrase “to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction  
3955 Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act  
3956 of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and  
3957 the DC Circulator Fund, in accordance with section 11c of the Department of Transportation  
3958 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-  
3959 921.33)” in its place.

3960           **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

3961           **ACCOUNTS**

3962           Sec. 6041. Short title.

3963           This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment  
3964 Amendment Act of 2020”.

3965           Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective  
3966 March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by  
3967 adding a new section 10a to read as follows:

3968           “Sec. 10a. Lead Poisoning Prevention Fund.

3969           “(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”),  
3970 which shall be administered by the Department of Energy and Environment in accordance with  
3971 subsection (c) of this section.

3972           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
3973 act, and all interest earned on those monies, shall be deposited into the Fund.

3974           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
3975 may be used to provide low-income residents of the District with assistance to comply with the  
3976 requirements of section 4, in accordance with rules issued by the Mayor.

3977           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
3978 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
3979 of a fiscal year, or at any other time.

3980           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3981 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3982           Sec. 6043. The District of Columbia Underground Storage Tank Management Act of  
3983 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is  
3984 amended by adding a new section 6a to read as follows:

3985           “Sec. 6a. Underground Storage Tank Regulation Fund.

3986           “(a) There is established as a special fund the Underground Storage  
3987 Tank Regulation Fund (“Fund”), which shall be administered by the Department of Energy and  
3988 Environment in accordance with subsection (c) of this section.

3989           “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
3990 act, and contributions and monies received as reimbursement, and all interest earned on those  
3991 monies, shall be deposited into the Fund.

3992           “(c) Money in the Fund shall be used to pay for the costs of implementing this act and  
3993 may be used for assessment, clean up, and housing and relocation assistance.

3994           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
3995 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
3996 of a fiscal year, or at any other time.

3997           “(2) Subject to authorization in an approved budget and financial plan, any funds  
3998 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3999           Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,  
4000 effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is amended by  
4001 adding a new section 21a to read as follows:



4002 “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

4003 “(a) There is established as a special fund the Hazardous Waste and Toxic Chemical  
4004 Source Reduction Fund (“Fund”), which shall be administered by the Department of Energy and  
4005 Environment in accordance with subsection (c) of this section.

4006 “(b) All fees, fines, and penalties received from compliance with and enforcement of this  
4007 act, and all interest earned on those monies, shall be deposited into the Fund.

4008 “(c) Money in the Fund shall be used to pay for the costs of implementing this act.

4009 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
4010 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
4011 of a fiscal year, or at any other time.

4012 “(2) Subject to authorization in an approved budget and financial plan, any funds  
4013 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

4014 **SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

4015 Sec. 6051. Short title.

4016 This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Amendment  
4017 Act of 2020”.

4018 Sec. 6052. ~~Chapter 7 of~~ Title 25 of the District of Columbia Official Code is amended as  
4019 follows:

4020 (a) Chapter 1 is amended as follows:

4021 (1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

4022           “(h)(1) A retailer with commercial street frontage at the Walter E. Washington  
4023 Convention Center that sells food and is approved by the Washington Convention and Sports  
4024 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food  
4025 and alcohol business”) that registers as a Convention Center food and alcohol business with the  
4026 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
4027 containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers  
4028 to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113.01a(hg); provided, that  
4029 such carry out and delivery orders are accompanied by one or more prepared food items.

4030           “(2) Board approval shall not be required for a registration under this subsection  
4031 that occurs before April 1, 2021.

4032           “(3) After March 31, 2021, a Convention Center food and alcohol business that  
4033 does not hold a valid registration under this subparagraph shall be required to obtain a carry out  
4034 and delivery license as set forth in § 25-113.01(hg) to sell beer, wine, or spirits in closed  
4035 containers to customers to carry out and to sell and deliver to the homes of District residents  
4036 beer, wine, or spirits in closed containers for delivery .

4037           “(4) A Convention Center food and alcohol business that has been authorized to  
4038 offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this  
4039 subsection may only offer alcoholic beverages for carry out and delivery between the hours of  
4040 6:00 a.m. and 1:00 a.m., 7 days a week.”.

4041           \_\_\_\_\_ (b2) Section 25-113(a)(3)(C) is amended to read as follows:

4042                   “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,  
4043 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with  
4044 the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed  
4045 containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to  
4046 consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided,  
4047 that each such carry out or delivery order is accompanied by one or more prepared food items.  
4048 Board approval shall not be required for a registration under this subparagraph that occurs prior  
4049 to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid  
4050 registration under this subparagraph shall be required to obtain a carry out and delivery  
4051 endorsement as set forth in § 25-~~113a~~113.01(~~gf~~) in order to sell for carry out and deliver  
4052 alcoholic beverages.”.

4053                   (e3) Newly designated sSection 25-113.01 is amended by adding new subsections  
4054 (~~gf~~) and (~~hg~~) to read as follows:

4055                   “(~~gf~~)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class  
4056 C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or  
4057 private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to  
4058 sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine,  
4059 or spirits in closed containers to consumers in the District.

4060                   “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
4061 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

4062                   “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
4063 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

4064                   “(4) The annual fee for a carry out and delivery endorsement shall be established  
4065 by the Board in an amount not less than \$200.

4066                   “(5) An on-premises retailer’s licensee that has registered with the Board under §  
4067 25-113(a)(3)(C) before April 1, 2021 (a “registered licensee”), shall not be required to apply with  
4068 the Board for an endorsement under this subsection, and the registered licensee shall be granted  
4069 the carry out and delivery endorsement upon request to the Board, if the registered licensee  
4070 makes the request and pays the annual fee required by paragraph (4) of this subsection by March  
4071 31, 2021.

4072                   “(hg)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has  
4073 registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from  
4074 the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry  
4075 out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

4076                   “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this  
4077 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

4078                   “(3) Each carry out or delivery order of an alcoholic beverage pursuant to  
4079 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

4080                   “(4) The annual fee for a carry out and delivery license shall be established by the  
4081 Board in an amount not less than \$200.

4082                   “(5) A Convention Center food and alcohol business that has registered with the  
4083 Board under § 25-112(h) before April 1, 2021 (“registered Convention Center food and alcohol  
4084 business”), shall not be required to apply with the Board for a license under this subsection, and  
4085 the registered Convention Center food and alcohol business shall be granted a carry out and  
4086 delivery license upon request to the Board, if the registered Convention Center food and alcohol  
4087 business makes the request and pays the annual fee required by paragraph (4) of this subsection  
4088 by March 31, 2021.

4089                   “(6) Beginning June 30, 2022, and each year thereafter, ABRA shall submit an  
4090 annual report to the Council on the outcomes of this section, including the number of on-  
4091 premises licensees participating in the carry-out and delivery option, and the number of on- and  
4092 off-premises retailer licensees that may have closed after the carry-out and delivery option was  
4093 implemented”.

4094                   (b) Chapter 7 is amended as follows:

4095                   (d1) Section 25-721 is amended as follows:

4096                   (+A) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and  
4097 12:00 a.m.” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4098                   (2B) Subsection (c) is amended as follows:

4099                   (Ai) Paragraph (1) is amended by striking the phrase “2:00 a.m.  
4100 and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4101 \_\_\_\_\_(Bii) Paragraph (2) is amended by striking the phrase “3:00 a.m.  
4102 and 8:00 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

4103 \_\_\_\_\_(3C) Subsection (d) is amended by striking the phrase “7:00 a.m. and  
4104 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4105 \_\_\_\_\_(e2) Section 25-722 is amended as follows:

4106 \_\_\_\_\_(4A) Subsection (a) is amended by striking the phrase “7:00 a.m. and  
4107 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4108 \_\_\_\_\_(2B) Subsection (b) is amended by striking the phrase “7:00 a.m. and  
4109 midnight” and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

4110 \_\_\_\_\_(f3) Section 25-723 is amended as follows:

4111 \_\_\_\_\_(4A) Subsection (b) is amended as follows:

4112 \_\_\_\_\_(Ai) Paragraph (1) is amended by striking the phrase “2:00 a.m.  
4113 and 8:00 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

4114 \_\_\_\_\_(Bii) Paragraph (2) is amended by striking the phrase “3:00 a.m.  
4115 and 8:00 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

4116 \_\_\_\_\_(2B) Subsection (c)(1) is amended as follows:

4117 \_\_\_\_\_(Ai) Subparagraph (C) is amended by striking the word “and”.

4118 \_\_\_\_\_(Bii) Subparagraph (D) is amended by striking the period and  
4119 inserting the phrase “; and” in its place.

4120 \_\_\_\_\_(Eiii) A new subparagraph (E) is added to read as follows:

4121                   “(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day,  
4122 and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the  
4123 holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the  
4124 preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday  
4125 or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

4126                   \_\_\_\_\_(3C) Subsection (e)(1) is amended by striking the phrase “2017, January  
4127 14 through January 22” and inserting the phrase “2021, January 9 through January 24” in its  
4128 place.

4129                   **SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM**

4130                   Sec. 6061. Short title.

4131                   This subtitle may be cited as the “Third-Party Inspection Platform Amendment Act of  
4132 2020”.

4133                   Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986,  
4134 effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by  
4135 adding a new subsection (f) to read as follows:

4136                   “(f) The Department may establish an online platform that may, at the Director’s  
4137 discretion, serve as the exclusive mechanism by which an individual or entity may hire a third-  
4138 party inspector to perform an inspection authorized by this section. The Department may charge  
4139 a fee for the use of the online platform by an individual or entity and by the third-party  
4140 inspectors.”.

4141           **SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT**

4142           Sec. 6071. Short title.

4143           This subtitle may be cited as the “Reciprocity Parking Fee Update Amendment Act of  
4144 2020”.

4145           Sec. 6072. Section 8(d) of the District of Columbia Traffic Act, 1925, approved March 3,  
4146 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by striking the ~~phrase~~  
4147 ~~figure~~ “\$50” and inserting the ~~phrase-figure~~ “\$100” in its place.

4148           **SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT**

4149           Sec. 6081. Short title.

4150           This subtitle may be cited as the “Tag Transfer Fee Update Amendment Act of 2020”.

4151           Sec. 6082. Section 2(e) of the District of Columbia Revenue Act of 1937, approved  
4152 August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as follows:

4153           (a) Paragraph (2) is amended by striking the ~~phrase-figure~~ “\$7” and inserting the ~~phrase~~  
4154 ~~figure~~ “\$12” in its place.

4155           (b) Paragraph (5) is amended by striking the ~~phrase-figure~~ “\$7” and inserting the ~~phrase~~  
4156 ~~figure~~ “\$12” in its place.

4157           **SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT**

4158           Sec. 6091. Short title.

4159           This subtitle may be cited as the “ATE Reporting Requirement Amendment Act of  
4160 2020”.



4161           Sec. 6092. Title IX of tThe Fiscal Year 1997 Budget Support Act of 1996, effective April  
4162 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding  
4163 a new section 905 to read as follows:

4164           “Sec. 905. ATE Reporting to Council.

4165           “Beginning January 1, 2021, the District Department of Transportation, in consultation  
4166 with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the  
4167 following information:

4168                   “(1) The top 15 automated traffic enforcement (“ATE”) locations by value of  
4169 citations generated in the District;

4170                   “(2) The breakdown of the jurisdictions where those receiving ATE citations and  
4171 with outstanding ATE citation debt have their vehicles registered;

4172                   “(3) The locations ~~of~~ where cameras have been added in the last 6 months and the  
4173 reasons why those locations were chosen; and

4174                   “(4) The amount of ATE citations issued in total and by location.”.

4175           **SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY**

4176           Sec. 6101. Short title.

4177           This subtitle may be cited as the “Capacity Market Withdrawal Feasibility Study Act of  
4178 2020”.

4179           Sec. 6102. Feasibility study.

4180 By July 1, 2021, the ~~District~~ Department of Energy and ~~the~~ Environment shall make  
4181 publicly available a study that evaluates and makes recommendations regarding the District  
4182 withdrawing from the PJM capacity market, including outlining the potential advantages and  
4183 disadvantages of withdrawal, the anticipated effects of *Calpine Corporation, et al. v. PJM*  
4184 *Interconnection, L.L.C.*, 169 FERC ¶ 61,239 (2019) on the District, and the procedure for  
4185 withdrawal from the PJM capacity market, including any necessary legislative changes.

4186 **SUBTITLE L. COMPETITIVE GRANT**

4187 Sec. 6111. Short title.

4188 This subtitle may be cited as the “Competitive Grant Act of 2020”.

4189 Sec. 6112. The Department of Energy and Environment shall award an annual grant on a  
4190 competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation  
4191 services.

4192 **SUBTITLE M. URBAN AGRICULTURE FUNDING**

4193 Sec. 6121. Short title.

4194 This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of 2020”.

4195 Sec. 6122. The Food Production and Urban Gardens Program Act of 1986, effective  
4196 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as  
4197 follows:

4198 (a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by striking the  
4199 phrase “base period of 5 years” and inserting the phrase “base period of at least 5 years” in its  
4200 place.

4201 (b) Section 3b is amended to read as follows:

4202 “Sec. 3b. Limitations on expenditures.

4203 “Total real property tax abatements provided for certain urban farms established pursuant  
4204 to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C. Official Code § 47-  
4205 1005(c) shall not exceed \$150,000 each year.”.

4206 Sec. 6123. Section 47-1005(c) of ~~Title 47 of the~~ District of Columbia Official Code is  
4207 amended by striking the phrase “Department of General Services” and inserting the phrase  
4208 “Department of Energy and Environment” in its place.

4209 **SUBTITLE N. WASTE DISPOSAL FEES**

4210 Sec. 6131. Short title.

4211 This subtitle may be cited as the “Waste Disposal Fees Regulation Amendment Act of  
4212 2020”.

4213 Sec. 6132. Section 720.8 of ~~title Title~~ 21 of the District of Columbia Municipal  
4214 Regulations (21 DCMR § 720.8) is amended to read as follows:

4215 “720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each ton of  
4216 solid waste at the waste-handling facilities, excluding those wastes specified in §§ 720.5, 720.6,  
4217 and 720.7, shall be seventy dollars and sixty-two cents (\$70.62) for each ton disposed; provided,

4218 that a minimum fee of thirty five dollars and thirty-one cents -(\$35.31) shall be imposed on each  
4219 load weighing one thousand pounds (1,000 lb.) or less.”.

4220 **SUBTITLE O. FAST FERRY GRANT**

4221 Sec. 6141. Short title.

4222 This subtitle may be cited as the “Fast Ferry Grant Act of 2020”.

4223 Sec. 6142. (a) In Fiscal Year 2021, the District Department of Transportation (“DDOT”)  
4224 shall award a grant of not less than \$250,000 to a regional transportation system supporting  
4225 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and  
4226 Anacostia River system.

4227 (b) A grant awarded pursuant to this section shall be in addition to any other grant  
4228 awarded by DDOT for fast ferry service.

4229 **TITLE VII. FINANCE AND REVENUE**

4230 **SUBTITLE A. PERSONAL PROPERTY TAX**

4231 Sec. 7001. Short title.

4232 This subtitle may be cited as the “Personal Property Tax Amendment Act of 2020”.

4233 Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

4234 (a) Section 47-1508 is amended by adding a new paragraph (13) to read as follows:

4235 “(13)(A) Computer software, unless:

4236                                   “(i) The software is incorporated as a permanent component of a  
4237 computer, machine, piece of equipment, or device, or of real property, and the software is not  
4238 commonly available separately; or

4239                                   “(ii) The cost of the software is included as part of the cost of a  
4240 computer, machine, piece of equipment, or device, or of the cost of real property on the books or  
4241 records of the taxpayer.

4242                                   “(B) This paragraph shall not be construed to affect the value of a  
4243 machine, device, piece of equipment, or computer, or the value of real property, or to affect the  
4244 taxable status of any other property subject to tax under this title.”.

4245                   (b) Section 47-1521 is amended as follows:

4246                                   (1) Paragraph (1) is redesignated as paragraph (1A).

4247                                   (2) A new paragraph (1) is added to read as follows:

4248                                   “(1) “Computer software” means a set of statements or instructions that when  
4249 incorporated in a machine-usable medium is capable of causing a machine or device having  
4250 information processing capabilities to indicate, perform, or achieve a particular function, task, or  
4251 result.”.

4252                                   (3) Paragraph (4) is amended by striking the phrase “goods and chattels” and  
4253 inserting the phrase “goods and chattels, including computer software,” in its place.

4254                   Sec. 7003. Applicability.

4255                   This subtitle shall apply as of July 1, 2021.

4256           **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

4257           Sec. 7011. Short title.

4258           This subtitle may be cited as the “Unincorporated Business Tax Amendment Act of  
4259 2020”.

4260           Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended

4261 by striking the phrase “Internal Revenue Code of 1986.” and inserting the ~~following sentence at~~  
4262 ~~the end;~~phrase “Internal Revenue Code of 1986.

4263 “Taxable income shall include gain from the sale or other disposition of any assets, including  
4264 tangible assets and intangible assets, including real property and interests in real property, in the  
4265 District, even when such a sale or other disposition results in the termination of an  
4266 unincorporated business.” in its place.

4267           Sec. 7013. Applicability.

4268           This subtitle shall apply as of January 1, 2021.

4269           **SUBTITLE C. BALLPARK REVENUE FUND**

4270           Sec. 7021. Short title.

4271           This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Amendment  
4272 Act of 2020”.

4273           Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,  
4274 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by  
4275 striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that

4276 any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be  
4277 deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it  
4278 accrues.” in its place.

4279 Sec. 7023. Applicability.

4280 This subtitle shall apply as of August 1, 2020.

4281 **SUBTITLE D. EVENTS DC AUTHORITY**

4282 Sec. 7031. Short title.

4283 This subtitle may be cited as the “Events DC Authority Amendment Act of 2020”.

4284 Sec. 7032. Title II of the Washington Convention Center Authority Act of 1994, effective  
4285 September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as  
4286 follows:

4287 (a) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

4288 (1) Paragraph (10K) is amended by striking the period and inserting a semicolon  
4289 in its place.

4290 (2) A new paragraph (10L) is added to read as follows:

4291 “(10L) To issue grants pursuant to section 208(h) to support go-go music in the  
4292 District of Columbia.”.

4293 (b) Section 204(m) (D.C. Official Code § 10-1202.04(m)), is amended by striking the  
4294 phrase “Fiscal Year 2019 or Fiscal Year 2020” and inserting the phrase “Fiscal Year 2020 or  
4295 Fiscal Year 2021” in its place.

4296 (c) Section 208 (D.C. Official Code § 10-1202.08) is amended by adding a new  
4297 subsection (h) to read as follows:

4298 “(h) For Fiscal Year 2021, the Authority shall issue not less than \$1 million in grants  
4299 from the Convention Center Fund to support go-go related programming, branding, tourism, and  
4300 marketing; provided, that funds are available for such purpose and that the Authority first satisfy  
4301 its current liabilities and legally required reserves, which shall not include the elective purchase  
4302 or redemption of outstanding indebtedness, unless such purchase or redemption is for the  
4303 purpose of securing a lower cost of borrowing and lower debt service payments.”.

4304 **SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS**  
4305 **TAX ABATEMENT**

4306 Sec. 7041. Short title.

4307 This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments  
4308 Tax Abatement Amendment Act of 2020”.

4309 Sec. 7042. Section 47-4658 of the District of Columbia Official Code is amended by  
4310 striking the number “2020” and inserting the number “2022” in its place both times it appears.

4311 **SUBTITLE F. OFF-PREMISES ALCOHOL TAX RATE**

4312 Sec. 7051. Short title.

4313 This subtitle may be cited as the “Off-Premises Alcohol Tax Rate Amendment Act of  
4314 2020”.



4315           Sec. 7052. Section 47-2002(a) of the District of Columbia Official Code is amended as  
4316 follows:

4317           (a) Paragraph (3) is amended by striking the phrase “defined in § 47-2001(g-1)” and  
4318 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold  
4319 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or  
4320 25-113.01(gf) or (hg)” in its place.

4321           (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the  
4322 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§  
4323 25-112(h)(1), 25-113(a)(3)(C), or 25-113.01(gf) or (hg)” in its place.

4324           Sec. 7053. Section 47-2202(a) of the District of Columbia Official Code is amended as  
4325 follows:

4326           (a) Paragraph (3)(A) is amended by striking the phrase “defined in § 47-2001(g-1)” and  
4327 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold  
4328 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or  
4329 ~~25-113a~~113.01(gf) or (hg)” in its place.

4330           (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the  
4331 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§  
4332 25-112(h)(1), 25-113(a)(3)(C), or ~~25-113a~~113.01(gf) or (hg)” in its place.

4333           **SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND**  
4334 **MODIFICATIONS**

4335           Sec. 7061. Short title.

4336           This subtitle may be cited as the “Subject-to-Appropriations Amendment Act of 2020”.

4337           Sec. 7062. Section 3 of the DC HealthCare Alliance Recertification Simplification  
4338 Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is  
4339 repealed.

4340           Sec. 7063. Section 3 of the East End Certificate of Need Maximum Fee Establishment  
4341 Amendment Act of 2018, effective October 30, 2018, (D.C. Law 22-176; 65 DCR 9552), is  
4342 repealed.

4343           Sec. 7064. Section 301(a) of the Birth-to-Three for All DC Amendment Act of 2018,  
4344 effective October 30, 2018 (D.C. Law 22-179; 65 DCR 9569), is amended by striking the phrase  
4345 “107(b),” and inserting the phrase “107,” in its place.

4346           Sec. 7065. Section 8 of the Tipped Wage Workers Fairness Amendment Act of 2018,  
4347 effective December 13, 2018 (D.C. Law 22-196; 65 DCR 12049), is repealed.

4348           Sec. 7066. The Ensuring Community Access to Recreational Spaces Act of 2018,  
4349 effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-431 *et seq.*), is amended  
4350 as follows:

4351 (a) Section 4(b) (D.C. Official Code § 38-433(b)) is amended by striking the phrase  
4352 “Within 180 days after February 22, 2019, the Mayor” and inserting the phrase “The Mayor” in  
4353 its place.

4354 (b) A new section 7a is added to read as follows:

4355 “Sec. 7a. Applicability.

4356 “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved  
4357 budget and financial plan.

4358 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4359 in an approved budget and financial plan, and provide notice to the Budget Director of the  
4360 Council of the certification.

4361 “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4362 the District of Columbia Register.

4363 “(2) The date of publication of the notice of the certification shall not affect the  
4364 applicability of section 4.”.

4365 Sec. 7067. Section 3 of the Boxing and Wrestling Commission Amendment Act of 2018,  
4366 effective February 22, 2019 (D.C. Law 22-228; 66 DCR 200), is repealed.

4367 Sec. 7068. The Senior Strategic Plan Amendment Act of 2018, effective March 28, 2019  
4368 (D.C. Law 22-267; 66 DCR 1428), is amended by adding a new section 3a to read as follows:

4369 “Sec. 3a. Applicability.

4370           “(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved  
4371 budget and financial plan.

4372           “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4373 in an approved budget and financial plan, and provide notice to the Budget Director of the  
4374 Council of the certification.

4375           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4376 the District of Columbia Register.

4377                       “(2) The date of publication of the notice of the certification shall not affect the  
4378 applicability of this act.”.

4379           Sec. 7069. Section 5 of the Public Restroom Facilities Installation and Promotion Act of  
4380 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

4381           “Sec. 5. Applicability.

4382           “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved  
4383 budget and financial plan.

4384           “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect  
4385 in an approved budget and financial plan and provide notice to the Budget Director of the  
4386 Council of the certification.

4387           “(c)(1) The Budget Director shall cause the notice of the certification to be published in  
4388 the District of Columbia Register.

4389                   “(2) The date of publication of the notice of the certification shall not affect the  
4390 applicability of section 4.”.

4391                   Sec. 7070. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective  
4392 May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.

4393                   Sec. 7071. Section 4 of the Mypheduh Films DBA Sankofa Video and Books Real  
4394 Property Tax Exemption Act of 2019, effective September 11, 2019 (D.C. Law 23-24; 66 DCR  
4395 9759), is repealed.

4396                   Sec. 7072. Section 3 of the Certificate of Need Fee Reduction Amendment Act of 2019,  
4397 effective March 10, 2020, (D.C. Law 23-60; 67 DCR 568), is repealed.

4398                   Sec. 7073. Section 3 of the Electronic Medical Order for Scope of Treatment Registry  
4399 Amendment Act of 2019, effective March 10, 2020, (D.C. Law 23-62; 67 DCR 574), is repealed.

4400                   Sec. 7074. Section 5 of the Housing Conversion and Eviction Clarification Amendment  
4401 Act of 2020, effective April 16, 2020 (D.C. Law 23-72; 67 DCR 2476), is repealed.

4402                   Sec. 7075. Section 5 of the Urban Farming Land Lease Amendment Act of 2020,  
4403 effective April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.

4404                   Sec. 7076. Section 4 of the Office on Caribbean Affairs Establishment Act of 2020,  
4405 effective May 6, 2020 (D.C. Law 23-87; 67 DCR 3534), is repealed.

4406                   Sec. 7077. Section 3 of the Strengthening Reproductive Health Protections Amendment  
4407 Act of 2020, effective May 6, 2020 (D.C. Law 23-90; 67 DCR 3537), is repealed.

4408           Sec. 7078. Section 6 of the Certified Professional Midwife Amendment Act of 2020,  
4409 effective June 17, 2020, (D.C. Law 23-97; 67 DCR 3912), is repealed.

4410           Sec. 7079. Section 3 of the Leave to Vote Amendment Act of 2020, effective June 24,  
4411 2020 (D.C. Law 23-110; 67 DCR 5057), is repealed.

4412           Sec. 7080. Section 3 of the Transportation Benefits Equity Amendment Act of 2020,  
4413 effective June 24, 2020 (D.C. Law 23-113; 67 DCR 5069), is repealed.

4414           Sec. 7081. Section 3 of the Professional Art Therapist Licensure Amendment Act of  
4415 2020, effective June 24, 2020, (D.C. Law 23-115; 67 DCR 5077), is repealed.

4416           Sec. 7082. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020,  
4417 enacted on April 27, 2020 (D.C. Act 23-302; 67 DCR 5060), is repealed.

4418           **SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS**

4419           Sec. 7091. Short title.

4420           This subtitle may be cited as the “Council Period 23 Rule 736 and Other Repeals  
4421 Amendment Act of 2020”.

4422           Sec. 7092. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective  
4423 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.

4424           Sec. 7093. The Health Care Provider Facility Expansion Program Establishment Act of  
4425 2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 *et seq.*), is  
4426 repealed.

4427           Sec. ~~7092~~7094. Section 202 of the Ballpark Omnibus Financing and Revenue Act of  
4428 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1602.02), is repealed.

4429           Sec. 7095. The School Health Innovations Grant Program Amendment Act of 2018,  
4430 effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 *et seq.*), is repealed.

4431           Sec. 7096. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of  
4432 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is  
4433 repealed.

4434           ~~Sec. 7093~~7097. Sections 103 and 105(c) of the Employee Transportation Amendment  
4435 Act of 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code §§ 50-211.03 and  
4436 50-211.05(c)), are repealed.

4437           ~~Sec. 7094. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of~~  
4438 ~~2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is~~  
4439 ~~repealed.~~

4440           Sec. ~~7095~~7099. The Exhaust Emissions Inspection Amendment Act of 2017, effective  
4441 January 25, 2018 (D.C. Law 22-47; 64 DCR 12403) is repealed.

4442           Sec. 7100. The Public School Health Services Amendment Act of 2017, effective  
4443 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

4444           ~~Sec. 7096. The Mobile DMV Act of 2017, effective January 25, 2018 (D.C. Law 22-49;~~  
4445 ~~D.C. Official Code § 50-915), is repealed.~~

4446           ~~Sec. 7097. The Public School Health Services Amendment Act of 2017, effective~~  
4447 ~~February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.~~

4448           Sec. ~~7098~~7101. The DC Healthcare Alliance Re-Enrollment Reform Amendment Act of  
4449 2017, effective February 17, 2018 (D.C. Law 22-62; 65 DCR 9), is repealed.

4450           Sec. ~~7099~~7102. The Ballpark Fee Forgiveness Act of 2017, effective February 28, 2018  
4451 (D.C. Law 22-64; 65 DCR 328), is repealed.

4452           Sec. ~~7100~~7103. Section 2(nn) and (oo) of the Homeless Services Reform Amendment  
4453 Act of 2017, effective February 28, 2018 (D.C. Law 22-65; 65 DCR 331), are repealed.

4454           Sec. ~~7101~~7104. The East End Commercial Real Property Tax Rate Reduction  
4455 Amendment Act of 2018, effective March 29, 2018 (D.C. Law 22-81; 65 DCR 1582), is  
4456 repealed.

4457           Sec. ~~7102~~7105. The Relieve High Unemployment Tax Incentives Act of 2018, effective  
4458 April 25, 2018 (D.C. Law 22-85; 65 DCR 1805), is repealed.

4459           ~~Sec. 7103. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective~~  
4460 ~~December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.~~

4461           ~~Sec. 7104. The Health Care Provider Facility Expansion Program Establishment Act of~~  
4462 ~~2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 et seq.), is~~  
4463 ~~repealed.~~

4464           ~~Sec. 7105. The School Health Innovations Grant Program Amendment Act of 2018,~~  
4465 ~~effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 et seq.), is repealed.~~



4466           Sec. 7106. The Telehealth Medicaid Expansion Amendment Act of 2018, effective July  
4467 3, 2018 (D.C. Law 22-126; 65 DCR 5110), is repealed.

4468           Sec. 7107. The Expenditure Commission Establishment Act of 2019, effective September  
4469 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

4470           **SUBTITLE I. DISTRICT HISTORY GRANT**

4471           Sec. 7111. Short title.

4472           This subtitle may be cited as the “District History Grant Act of 2020”.

4473           Sec. 7112. (a) The Washington Convention and Sports Authority (“Events DC”)  
4474 shall award a grant to a nonprofit organization occupying space in the Carnegie Library  
4475 building that is engaged in collecting, interpreting, and sharing the history of the District.

4476           (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,  
4477 \$100,000 shall be transferred to Events DC to use for the grant authorized by subsection  
4478 (a) of this section.

4479           (c) A grant awarded pursuant to this section shall be in addition to any other grant  
4480 awarded by Events DC in support of historical education and research.

4481           **SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**

4482           **MATCH**

4483           Sec. 7121. Short title.

4484           This subtitle may be cited as the “National Cherry Blossom Festival Fundraising  
4485 Match Act of 2020”.

4486 Sec. 7122. National Cherry Blossom Festival Fundraising.

4487 (a) There is established a matching grant program to support the 2021 National  
4488 Cherry Blossom Festival (“Program”), which shall be administered by the Washington  
4489 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant  
4490 shall be awarded to a nonprofit organization that organizes and produces an event or  
4491 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)  
4492 of up to \$1,000,000 at a rate of \$2 for every dollar ~~above \$1,000,000~~ that the organization  
4493 has raised in ~~corporate~~ donations by ~~March 31~~ April 30, 2021.

4494 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,  
4495 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by  
4496 subsection (a) of this section.

4497 (c) A grant awarded pursuant to this section shall be in addition to any other grant  
4498 awarded by Events DC in support of the Festival.

4499 **SUBTITLE K. MOTOR VEHICLE FUEL TAX**

4500 Sec. 7131. Short Title.

4501 This subtitle may be cited as the “Motor Vehicle Fuel Tax Amendment Act of 2020”.

4502 Sec. 7132. Chapter 23 of Title 47 of the District of Columbia Official Code is amended as  
4503 follows:

4504 (a) Section 47-2301 ~~(a) of the District of Columbia Official Code~~ is amended ~~to read~~ as  
4505 follows:

4506 (1) Subsection (a) is amended by adding a new paragraph (4) to read as follows:

4507 “(4) This subsection shall not apply after September 30, 2020.”.

4508 (2) A new subsection (a-1) is added to read as follows:

4509 “(a-1)(1) The District shall levy and collect a tax and a local transportation surcharge  
4510 (“surcharge”) on motor vehicle fuels sold or otherwise disposed of by an importer or by a user,  
4511 or used for commercial purposes. equal to \$.288 per gallon.

4512 “(2) As of October 1, 2020:

4513 “(A) The rate of tax shall be \$.235 per gallon; and

4514 “(B) The surcharge shall be \$.053 per gallon;

4515 “(3) As of October 1, 2021, the surcharge shall be \$.103 per gallon, increased  
4516 annually, beginning with the fiscal year commencing on October 1, 2022, by the cost-of-living  
4517 adjustment.”.

4518 (3) Subsection (c) is amended to read as follows:

4519 “(c) The Chief Financial Officer of the District of Columbia shall:

4520 “(1) Transfer annually to the District of Columbia Highway Trust Fund the  
4521 proceeds of the taxes imposed under subsection (a) and (a-1) of this section; and

4522 “(2) Transfer to the Capital Improvements Program the revenue derived from the  
4523 surcharge under subsection (a-1) to fund the renovation, repair, and maintenance of local  
4524 transportation infrastructure.”.

4525 (b) Section 47-2302 of the District of Columbia Official Code is amended by adding a  
4526 new paragraph (24) to read as follows:

4527 “(24)(A) “Cost-of-living adjustment” means the ratio of CPI for the preceding  
4528 calendar year and the CPI for the base year.

4529 “(B) For the purposes of this paragraph, the term:

4530 “(i) "Base year" means the calendar year ending December 31,  
4531 2020.

4532 “(ii) "CPI" means the average of the Consumer Price Index for All  
4533 Urban Consumers for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan  
4534 Statistical Area (or such successor metropolitan statistical area that includes the District) for the  
4535 preceding calendar year.”.

4536 Sec. 7133. Section 102a of the Highway Trust Fund Establishment Act of 1996, effective  
4537 April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01a), is amended by adding a new  
4538 subsection (c) to read as follows:

4539 “(c) Revenue derived from the local transportation surcharge on motor vehicle fuels sold  
4540 or otherwise disposed of by an importer or by a user, or used for commercial purposes, pursuant  
4541 to D.C. Official Code § 47-2301(a-1), shall be transferred to the Capital Improvements Program  
4542 to fund the renovation, repair, and maintenance of local transportation infrastructure.”.

4543 As of October 1, 2021, the rate shall be \$.338 per gallon; and

4544                   ~~“(3) As of October 1, 2022, the rate shall be adjusted annually based on the~~  
4545 ~~greater of:~~  
4546                   ~~“(A) The change in the Consumer Price Index for All Urban Consumers~~  
4547 ~~for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or~~  
4548 ~~such successor metropolitan statistical area that includes the District) for the preceding calendar~~  
4549 ~~year; or~~  
4550                   ~~“(B) Zero.”.~~

4551                   ~~**SUBTITLE L. ADVERTISING AND PERSONAL INFORMATION TAXES**~~

4552                   ~~Sec. 7141. Short Title.~~

4553                   ~~This subtitle may be cited as the “Advertising and Personal Information Tax Amendment~~  
4554 ~~Act of 2020”.~~

4555                   ~~Sec. 7142. Title 47 of the District of Columbia Official Code is amended as follows:~~

4556                   ~~(a) Chapter 20 is amended as follows:~~

4557                   ~~(1) Section 47-2001 is amended as follows:~~

4558                   ~~(A) Subsection (a-2) is redesignated as subsection (a-3);~~

4559                   ~~(B) A new subsection (a-2) is added to read as follows:~~

4560                   ~~“(a-2) “Advertising services” means the planning, creating, placing, or display of~~  
4561 ~~advertising in newspapers, magazines, billboards, broadcasting, and other media, including,~~  
4562 ~~without limitation, the providing of concept, writing, graphic design, mechanical art,~~  
4563 ~~photography, and production supervision.”.~~

4564 ~~(C) Subsection (d-1) is redesignated as subsection (d-2).~~

4565 ~~(D) A new subsection (d-1) is added to read as follows:~~

4566 ~~“(d-1) “Digital advertising services” means advertising services related to advertisements~~  
4567 ~~displayed on a digital interface, including advertisements in the form of banner advertising,~~  
4568 ~~search engine advertising, interstitial advertising, or other comparable advertising.”.~~

4569 ~~(E) A new subsection (d-3) is added to read as follows:~~

4570 ~~“(d-3) “Digital interface” means any combination of hardware and software that an~~  
4571 ~~individual may use to access internet-based platforms such as websites, parts of websites, or~~  
4572 ~~applications.”.~~

4573 ~~(F) Subsections (i-1) and (i-2) are redesignated as subsections (i-2) and (i-~~  
4574 ~~3), respectively.~~

4575 ~~(G) A new subsection (i-1) is added to read as follows:~~

4576 ~~——“(i-1) “Personal information” means information or data that is derived from a person~~  
4577 ~~that identifies, relates to, describes, or is capable of being associated with, a particular person,~~  
4578 ~~including a person’s:~~

4579 ~~“(1) Name;~~

4580 ~~“(2) Physical address, mailing address, or other location information;~~

4581 ~~“(3) Telephone number;~~

4582 ~~“(4) Email address;~~

4583 ~~“(5) Internet Protocol address;~~

4584                   ~~“(6) Digital signature;~~  
4585                   ~~“(7) Physical characteristics or description;~~  
4586                   ~~“(8) Biometric data;~~  
4587                   ~~“(9) Driver’s license number, state identification card number, passport number,~~  
4588 ~~social security number, or other government issued identification number;~~  
4589                   ~~“(10) Bank account number, debit card number, credit card number, or any other~~  
4590 ~~financial information;~~  
4591                   ~~“(11) Insurance information;~~  
4592                   ~~“(12) Medical information;~~  
4593                   ~~“(13) Employment information;~~  
4594                   ~~“(14) Educational information; or~~  
4595                   ~~“(15) Browser habits, consumer preferences, and any other data that can be~~  
4596 ~~attributed to a person and can be used for marketing, or determining access or costs related to~~  
4597 ~~insurance, credit, or health care.”.~~  
4598                               (H) Subsection (n)(1) is amended as follows:  
4599                                       (i) Subparagraph (AA)(ii)(H) is amended by striking the phrase “;”  
4600 ~~or” and inserting a semicolon in its place.~~  
4601                                       (ii) Subparagraph (BB) is amended by striking the period and  
4602 ~~inserting the phrase “; or” in its place.~~





4623 ~~“(T) The sale of or charges for personal information, as defined in § 47-~~  
4624 ~~2001(i-1).”.~~

4625 ~~(2) Section 47-2202(a) is amended by adding new paragraphs (6) and (7) to read~~  
4626 ~~as follows:~~

4627 ~~“(6) The rate of tax shall be 3% of the gross receipts from the sale of or charges~~  
4628 ~~for advertising services, including digital advertising services.~~

4629 ~~“(7) The rate of tax shall be 3% of the gross receipts from the sale of or charges~~  
4630 ~~for personal information.”.~~

4631 ~~(e) Section 47-2501.01(a) is amended by striking the phrase “as defined in § 47-2001(d-~~  
4632 ~~1)” and inserting the phrase “as defined in § 47-2001(d-2)” in its place.~~

4633 **SUBTITLE L. NEW COMMUNITIES CLARIFICATION**

4634 Sec. 7141. Short title.

4635 \_\_\_\_\_ This subtitle may be cited as the “New Communities Bond Clarification Amendment Act  
4636 of 2020”.

4637 \_\_\_\_\_ Sec. 7142. Section 203(b) of the Housing Production Trust Fund Act of 1988, effective  
4638 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.03(b)), is amended to read as  
4639 follows:

4640 \_\_\_\_\_ “(b)(1) The bonds, which may be issued from time to time, in one or more series, shall be  
4641 tax-exempt or taxable as the Mayor shall determine.

4642                    (2) The total amount of funds allocated annually from the Housing Production  
4643 Trust Fund to pay debt service on the bonds shall not exceed \$16 million.”.

4644                    **SUBTITLE M. ~~DOWNLOADING LOST REVENUES~~ QHTC TAX INCENTIVES**

4645                    **MODIFICATION**

4646                    Sec. 7151. Short Title.

4647                    This subtitle may be cited as the “~~Downloading Lost Revenues~~ QHTC Tax Incentives  
4648 Modification Amendment Act of 2020”.

4649                    Sec. 7152. Title 47 of the District of Columbia Official Code is amended as follows:

4650                    (a) Section 47-1508(a)(10) is repealed.

4651                    (b) Chapter 18 is amended as follows:

4652                                       (1) Section 47-1803.03(a)(18) is repealed.

4653                                       (2) Section 47-1817.01(5)(A)(ii) is amended by striking the number “2” and  
4654 inserting the number “10” in its place.

4655                                       (3) Section 47-1817.02 is repealed.

4656                                       (4) Section 47-1817.04 is amended as follows:

4657                                                          (A) Subsection (d) is amended by striking the figure “\$20,000” and  
4658 inserting the figure “\$10,000” in its place.

4659                                                          (B) Subsection (e) is repealed.

4660                                       (5) Section 47-1817.05(c) is repealed.

4661                                       (6) Section 47-1817.06 is repealed.

4662 (7) Section 47-1817.07 is repealed.

4663 (8) Section 47-1817.07a is amended by striking the phrase “For tax years  
4664 beginning after December 31, 2018, notwithstanding” and inserting the phrase “For the tax year  
4665 beginning after December 31, 2018 and ending before January 1, 2020, and for tax years  
4666 beginning after December 31, 2024, notwithstanding” in its place.

4667 (9) Section 47-1818.06(3) is repealed.

4668 Sec. 7153. Applicability.

4669 This subtitle shall apply as of January 1, 2020 except for Section 7152(a) which shall  
4670 apply as of July 1, 2021.

4671 **SUBTITLE N. ADAMS MORGAN BID**

4672 Sec. 7161. Short title.

4673 This subtitle may be cited as the “Adams Morgan Business Improvement District  
4674 Amendment Act of 2020”.

4675 Sec. 7162. Section 206(c) of the Business Improvement District Act of 1996, effective  
4676 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as  
4677 follows:

4678 “(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed  
4679 \$.21 for each \$100 in assessed value for all taxable properties and all commercial portions of  
4680 mixed use properties; provided, that any change in the BID taxes from the current tax year rates  
4681 shall be made subject to the requirements of section 9.”.

4682           **SUBTITLE O. SKYLAND TAX EXEMPTION**

4683           Sec. 7171. This subtitle may be cited as the “Skyland Tax Exemption Amendment Act of  
4684 2020”.

4685           Sec. 7172. Section 302 of the District of Columbia Deed Recordation Tax Act, approved  
4686 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

4687           (a) Paragraph (34) is amended by striking the phrase “; and” and inserting a semicolon in  
4688 its place.

4689           (b) Paragraph (35) is amended by striking the period at the end and inserting the phrase “;  
4690 and” in its place.

4691           (c) A new paragraph (36) is added to read as follows:

4692           “(36)(A) Deeds conveying, vesting, granting, or assigning title to, an interest in, a  
4693 security interest in, or an economic interest in the real property (and any improvements thereon)  
4694 described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,  
4695 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010 that  
4696 are recorded between the applicability date of the Skyland Tax Exemption Amendment Act of  
4697 2020, passed on 1st reading on July 7, 2020 (Engrossed version of Bill 23-760)~~this paragraph~~  
4698 and December 31, 2020.

4699           “(B) The amount of all taxes, fees, and deposits exempted under this  
4700 paragraph and D.C. Official Code § 47-902(28), shall not exceed, in the aggregate, \$420,840.”.

4701           Sec. 7173. Section 47-902 of the District of Columbia Official Code is amended by

4702 adding a new paragraph 28 to read as follows:

4703                   “(28)(A) Transfers with respect to the real property (and any improvements  
4704 thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812,  
4705 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and  
4706 7010, as evidenced by the recordation of a deed conveying title to the real property between the  
4707 applicability date of the Skyland Tax Exemption Amendment Act of 2020, passed on 1st reading  
4708 on July 7, 2020 (Engrossed version of Bill 23-760)~~this paragraph~~ and December 31, 2020.

4709                   “(B) The amount of all taxes, fees, and deposits exempted under this  
4710 paragraph and D.C. Official Code § 42-1102(36), shall not exceed, in the aggregate, \$420,840.”.

4711                   **SUBTITLE P. COMBINED REPORTING TAX DEDUCTION DELAY**

4712                   Sec. 7181. Short title.

4713                   This subtitle may be cited as the “Combined Reporting Tax Deduction Delay  
4714 Amendment Act of 2020”.

4715                   Sec. 7182. Section 47-1810.08(b) of the District of Columbia Official Code is amended  
4716 as follows:

4717                   (a) Paragraph (1) is amended by striking the phrase “beginning with the 10th year of the  
4718 combined filing” and inserting the phrase “beginning with the 15th year of the combined filing”  
4719 in its place.

4720                   (b) Paragraph (2) is amended by striking the number “2015” and inserting the number  
4721 “2020” in its place.

4722           **SUBTITLE Q. ESTATE TAX ADJUSTMENT**

4723           Sec. 7191. Short title.

4724           This subtitle may be cited as the “Estate Tax Adjustment Amendment Act of 2020”.

4725           Sec. 7192. Section 47-3701~~(14)(C)~~ of the District of Columbia Official Code is amended  
4726 as follows:

4727           (a) Paragraph (4) is amended as follows:

4728                   (1) Subparagraph (E) is amended by striking the phrase “dying after December  
4729 31, 2017” and inserting the phrase “whose death occurs after December 31, 2017, but before  
4730 January 1, 2021” in its place.

4731                   (2) A new subparagraph (F) is added to read as follows:

4732                           “(F) For a decedent whose death occurs after December 31, 2020:

4733                                   (i) The maximum amount of credit for state death taxes allowed by  
4734 section 2011 of the Internal Revenue Code;

4735                                   (ii) The amount of the unified credit shall be \$1,545,800, increased  
4736 annually, beginning with the year commencing on January 1, 2022, by the cost-of-living  
4737 adjustment; and

4738                                   (iii) An estate tax return shall not be required to be filed if the  
4739 decedent’s gross estate does not exceed the applicable zero bracket amount.”.

4740           (b) Paragraph (14) is amended as follows:

4741 (1) Subparagraph (B) is amended by striking the phrase “; or” and inserting a  
4742 semicolon in its place.

4743 (2) Subparagraph (C) is amended as follows:

4744 (A) Strike the phrase “after December 31, 2017” and insert the phrase  
4745 “after December 31, 2017, but before January 1, 2021” in its place.

4746 (B) Strike the period at the end and insert the phrase “; or” in its place.

4747 (3) A new subparagraph (D) is added to read as follows:

4748 “(D) For a decedent whose death occurs after December 31, 2020, \$4  
4749 million, increased annually, beginning with the year commencing on January 1, 2022, by the  
4750 cost-of-living adjustment.”.

4751 (a) Strike the phrase “2017, \$5.6 million” and insert the phrase “2019, \$4 million” in its  
4752 place.

4753 (b) Strike the phrase “2019,” and insert the phrase “2021,” in its place.

4754 **SUBTITLE R. DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX**

4755 **CREDIT CLARIFICATION**

4756 Sec. 7201. Short title.

4757 This subtitle may be cited as the “District of Columbia Low-Income Housing Tax Credit  
4758 Clarification Amendment Act of 2020”.

4759 Sec. 7202. Chapter 48 of Title 47 of the District of Columbia Official Code is amended as  
4760 follows:

4761           (a) The table of contents is amended by striking the phrase “47-4806. Transfer, sale, or  
4762 assignment” and inserting the phrase “47-4806. Transfer, sale, assignment, or allocation” in its  
4763 place.

4764           (b) Section 47-4801 is amended as follows:

4765           (1) A new paragraph (1A) is added to read as follows:

4766           “(1A) “Commissioner” means the Commissioner of the Department of Insurance,  
4767 Securities, and Banking.”.

4768           (2) Paragraph (3) is amended by striking the phrase “cause the construction of  
4769 affordable housing” and inserting the phrase “cause the acquisition, rehabilitation, or  
4770 construction of affordable housing” in its place.

4771           (3) Paragraph (6) is amended by striking the phrase ““Low-Income Housing Tax  
4772 Credit Program” means the program authorized by section 42 of the Internal Revenue Code of  
4773 1986” and inserting the phrase ““Federal low-income housing tax credit” means a tax credit  
4774 claimed pursuant to section 42 of the Internal Revenue Code of 1986” in its place.

4775           (4) Paragraph (7) is repealed.

4776           (5) Paragraph (8) is amended by striking the phrase “a rental housing  
4777 development that receives an allocation of federal Low-Income Housing Tax Credits from the  
4778 Department” and inserting the phrase “a rental housing development in the District that receives  
4779 an allocation of federal low-income housing tax credits under section 42(h)(1) or (4) of the 1986  
4780 Internal Revenue Code after the effective date of the District of Columbia Low-Income Housing



4781 Tax Credit Clarification Amendment Act of 2020, passed on 2nd reading on July 28, 2020  
4782 (Enrolled version of Bill 23-760), and receives an executed extended low-income housing  
4783 commitment pursuant to section 42(h)(6)(b) of the 1986 Internal Revenue Code from the  
4784 Department dated on or after October 1, 2022”.

4785 (c) Section 47-4802 is amended as follows:

4786 \_\_\_\_\_ (1) Subsection (a) is amended to read as follows:

4787 “(a) There is established a District of Columbia low-income housing tax credit.”.

4788 \_\_\_\_\_ (2) Subsection (b) is repealed.

4789 \_\_\_\_\_ (3) Subsection (c) is repealed.

4790 \_\_\_\_\_ (4) Subsection (d) is amended by striking the phrase “tax credit award” and  
4791 inserting the phrase “tax credit” in its place.

4792 (d) Section 47-4803 is amended as follows:

4793 \_\_\_\_\_ (1) Subsection (a) is amended to read as follow:

4794 “(a) An owner of a qualified project may receive a District of Columbia low-income  
4795 housing tax credit with respect to that qualified project in an amount equal to 25% of the value of  
4796 the federal low-income housing tax credit received with respect to the qualified project.”.

4797 \_\_\_\_\_ (2) Subsection (b) is amended to read as follows:

4798 “(b) If the owner of a qualified project transfers, sells, or assigns a District of Columbia  
4799 low-income housing tax credit to another taxpayer pursuant to § 47-4806, the District of  
4800 Columbia low-income housing tax credit shall not be taken, pursuant to subsection (c) of this

4801 section, against taxes imposed under this title unless the owner has filed with the Department, in  
4802 a form determined by the Department, an affidavit certifying that:

4803 “(1) The owner of the qualified project received, as consideration for transferring,  
4804 selling, or assigning the District of Columbia low-income housing tax credit, at least 80% of the  
4805 per dollar sale price for a federal low-income housing tax credit associated with the qualified  
4806 project that the owner has transferred, sold, or assigned; and

4807 “(2) The value received by the owner of the qualified project was used to ensure  
4808 financial feasibility of the qualified project.”.

4809 (3) Subsection (c) is amended to read as follows:

4810 “(c)(1) The District of Columbia low-income housing tax credit may be claimed against  
4811 taxes imposed under Chapter 18 of this title or § 47-2608(a)(1).

4812 “(2) The District of Columbia low-income housing tax credit may be claimed  
4813 equally for 10 years, subtracted from the tax otherwise due for each taxable period and shall not  
4814 be refundable; provided, that the credit may not be taken against any tax that is dedicated in  
4815 whole or in part to the Healthy DC and Health Care Expansion Fund established by § 31-  
4816 3514.02.”.

4817 “(3) If the District of Columbia low-income housing tax credit is claimed against  
4818 taxes imposed under Chapter 18 of this title, any amount of the low-income housing tax credit  
4819 that exceeds the tax due for a taxable year may be carried forward to any of the 10 remaining  
4820 subsequent taxable years for taxes imposed under Chapter 18 of this title. If the District of

4821 Columbia low-income housing tax credit is claimed against taxes imposed under § 47-  
4822 2608(a)(1), any amount of the credit that exceeds the tax due for a taxable year may be carried  
4823 forward to any of the 10 remaining subsequent taxable years for taxes imposed under § 47-  
4824 2608(a)(1).”.

4825 (4) Subsection (d)(1) is amended by striking the phrase “allocated to parties who  
4826 are eligible under the provisions of subsection (a) of this section” and inserting the phrase  
4827 “transferred, sold, assigned, or allocated to parties who are eligible pursuant to Chapter 48 of  
4828 Title 47 of the District of Columbia Official Code” in its place.

4829 (5) Subsection (e) is amended as follows:

4830 (A) The lead-in language is amended by striking the phrase “submitted to  
4831 the Chief Financial Officer as provided in this section” and inserting the phrase “submitted to the  
4832 Chief Financial Officer or the Commissioner as provided in this section” in its place.

4833 (B) Paragraph (2) is amended by striking the phrase “each taxpayer  
4834 subject to the recapture” and inserting the phrase “each transferee, purchaser, assignee, or party  
4835 to whom a credit is allocated” in its place.

4836 (C) Paragraph (3) is amended by striking the phrase “allocated to such  
4837 taxpayer” and inserting the phrase “allocated to such transferee, purchaser, assignee, or party to  
4838 whom a credit is allocated” in its place.

4839 (6) Subsection (f)(1) is amended by striking the phrase “A tax credit allowed  
4840 under this section shall not be denied to the taxpayer with respect to any qualified project” and

4841 inserting the phrase “A District of Columbia low-income housing tax credit allowed under this  
4842 section shall not be denied with respect to any qualified project” in its place.

4843 (e) Section 47-4804 is amended as follows:

4844 (1) Subsection (a) is amended to read as follows:

4845 “(a) The owner of a qualified project eligible for the District of Columbia low-income  
4846 housing tax credit shall submit a copy of the eligibility statement issued by the Department with  
4847 respect to the qualified project at the time of filing the return required to be filed by the owner  
4848 pursuant to § 47-1805.02. In the case of failure to attach the eligibility statement, a credit under  
4849 this section shall not be allowed with respect to such qualified project for that year until the copy  
4850 is provided to the Chief Financial Officer and the Commissioner.”.

4851 (2) Subsection (b) is amended by striking the phrase “such qualified District of  
4852 Columbia project shall also be recaptured” and inserting the phrase “such qualified District of  
4853 Columbia project shall also be recaptured by the Office of Chief Financial Officer or  
4854 Commissioner of Insurance, Securities, and Banking” in its place.

4855 (f) Section 47-4805 is amended by striking the phrase “The Chief Financial Officer or the  
4856 Department may require” and inserting the phrase “The Chief Financial Officer, the  
4857 Commissioner, or the Department may require” in its place.

4858 (g) Section 47-4806 is amended as follows:

4859 (1) The section heading is amended by striking the phrase “Transfer, sale, or  
4860 assignment” and inserting the phrase “Transfer, sale, assignment, or allocation” in its place.

4861 (2) Subsection (a) is amended as follows:

4862 (A) The existing language is redesignated as paragraph (1) and amended  
4863 to read as follows:

4864 “(1) All or any portion of credits issued in accordance with the provisions of  
4865 this section may be transferred, sold, or assigned to another taxpayer. There is no limit on the  
4866 total number of transactions for the transfer, sale, or assignment of all or part of the total credit  
4867 authorized under this section. Collectively, all transfers, sales, assignments, and allocations  
4868 pursuant to paragraph (a)(2) of this subsection are subject to the maximum credit allowable to a  
4869 particular qualified project.”

4870 (B) A new paragraph (2) is added to read as follows:

4871 “(2) A tax credit earned or purchased by, or transferred or assigned to, a  
4872 partnership, limited liability company, S corporation, or other pass-through entity may be  
4873 allocated to the partners, members, or shareholders of that entity in accordance with the  
4874 provisions of any agreement among the partners, members, or shareholders and without  
4875 regarding to the ownership interest of the partners, members, or shareholders in the qualified  
4876 project. A partner, member, or shareholder to whom a tax credit is allocated may further allocate  
4877 all or part of the allocated credit as provided in this subsection or may transfer, sell, or assign the  
4878 allocated credit as provided in paragraph (1) of this subsection. There is no limit on the total  
4879 number of allocations of all or part of the total credit authorized under this section; however,

4880 collectively, all transfers, sales, assignments, and allocations, made pursuant to this subsection,  
4881 are subject to the maximum credit allowable to a particular qualified project.”.

4882 (3) Subsection (b) is amended to read as follows:

4883 “(b) An owner, transferee, purchaser, assignee, or taxpayer to whom a tax credit is  
4884 allocated pursuant to subsection (a)(2) of this section, desiring to make a transfer, sale,  
4885 assignment, or allocation pursuant to subsection (a)(2) of this section, shall submit to the Chief  
4886 Financial Officer and the Commissioner a statement that describes the amount of District of  
4887 Columbia low-income housing tax credit for which such transfer, sale, assignment, or allocation  
4888 of District of Columbia low-income housing tax credit is eligible. The owner, transferor, seller,  
4889 assignor, or taxpayer who is allocating, pursuant to subsection (a)(2) of this section, the tax  
4890 credit, as applicable, shall provide to the Chief Financial Officer and the Commissioner  
4891 appropriate information so that the low-income housing tax credit can be properly allocated.”.

4892 (4) Subsection (c)(3) is amended to read as follows:

4893 “(3) Amount of credit previously transferred, sold, assigned, or allocated to such  
4894 transferee, purchaser, assignee, or taxpayer to whom a credit is allocated.”.

4895 (h) Section 47-4807 is amended as follows:

4896 (1) Subsection (a) is amended by striking the phrase “The Department, in  
4897 consultation with the Chief Financial Officer, shall monitor” and inserting the phrase “The  
4898 Department, in consultation with the Chief Financial Officer and the Commissioner, shall  
4899 monitor” in its place.

4900 \_\_\_\_\_ (2) Subsection (b) is amended by striking the phrase “The Department or the  
4901 Chief Financial Officer shall report” and inserting the phrase “The Department, the Chief  
4902 Financial Officer, or the Commissioner shall report” in its place.

4903 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

4904 Sec. 8001. Short title.

4905 This subtitle may be cited as the “Designated Fund Transfer Act of 2020”.

4906 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the  
4907 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year  
4908 2020-2021 and in each fiscal year through Fiscal Year 2024 the following recurring amounts  
4909 from certified fund balances and other revenue in the identified accounts to the unassigned fund  
4910 balance of the General Fund of the District of Columbia:

4911

<u>Agency Code</u>	<u>Agency</u>	<u>Fund Detail</u>	<u>Fund Name</u>	<u>FY 2021 -2024</u>
<u>CR0</u>	<u>DCRA</u>	<u>6013</u>	<u>Basic Business License Fund</u>	<u>6,000</u>
<u>CR0</u>	<u>DCRA</u>	<u>6040</u>	<u>Corporate Recordation Fund</u>	<u>12,500</u>
<u>HC0</u>	<u>DOH</u>	<u>0605</u>	<u>SHPDA Fees</u>	<u>4,000</u>
<u>HC0</u>	<u>DOH</u>	<u>0632</u>	<u>Pharmacy Protection</u>	<u>5,393</u>
<u>HC0</u>	<u>DOH</u>	<u>0633</u>	<u>Radiation Protection</u>	<u>3,500</u>
<u>HC0</u>	<u>DOH</u>	<u>0643</u>	<u>Board of Medicine</u>	<u>145,493</u>
<u>HC0</u>	<u>DOH</u>	<u>0656</u>	<u>EMS Fees</u>	<u>5,250</u>
<u>KG0</u>	<u>DOEE</u>	<u>0646</u>	<u>Stormwater Fees</u>	<u>2,000</u>
<u>KG0</u>	<u>DOEE</u>	<u>0662</u>	<u>Renewable Energy Development Fund</u>	<u>30,000</u>
<u>KG0</u>	<u>DOEE</u>	<u>6700</u>	<u>Sustainable Energy Trust Fund</u>	<u>40,000</u>

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 23-760

July 27, 2020

Chairman Mendelson

~~ENGROSSED ORIGINAL~~

<u>LQ0</u>	<u>ABRA</u>	<u>6017</u>	<u>ABC - Import and Class License Fees</u>	<u>245,368</u>
<u>PO0</u>	<u>OCP</u>	<u>4010</u>	<u>DC Surplus Personal Property Sales Operation</u>	<u>10,000</u>
<u>SR0</u>	<u>DISB</u>	<u>2100</u>	<u>HMO Assessment</u>	<u>17,763</u>
<u>SR0</u>	<u>DISB</u>	<u>2200</u>	<u>Insurance Assessment</u>	<u>120,790</u>
<u>SR0</u>	<u>DISB</u>	<u>2350</u>	<u>Securities and Banking Fund</u>	<u>370,403</u>
<u>SR0</u>	<u>DISB</u>	<u>2800</u>	<u>Captive Insurance</u>	<u>82,741</u>
<u>TC0</u>	<u>DFHV</u>	<u>2400</u>	<u>Public Vehicles for Hire</u>	<u>21,000</u>
<b><u>Total</u></b>				<b><u>1,122,201</u></b>

4912

<b>Agency Code</b>	<b>Agency</b>	<b>Fund Detail</b>	<b>Fund Name</b>	<b>FY20</b>	<b>FY21</b>
AG0	BEGA	601	Accountability Fund	60,000	-
AT0	OCFO	606	Recorder of Deeds Surcharge	700,000	-
BD0	OP	2001	Historic Landmark and Historic District Filing Fees	127,039	-
BX0	DCCAH	110	Commission on Arts and Humanities	1,245,000	-
BX0	DCCAH	600	Arts and Humanities Enterprise Fund	222,753	-
CB0	OAG	616	Litigation Support Fund	1,024,373	-
CF0	DOES	619	DC Jobs Trust Fund	230,000	-
CI0	OCF	600	Special Purpose Revenue	700,000	-
CQ0	OTA	6000	Rental Unit Fee Fund	462,101	-
CR0	DCRA	6009	R-E Appraisal Fee	75,000	-
CR0	DCRA	6013	Basic Business License Fund	-	6,000
CR0	DCRA	6040	Corporate Recordation Fund	5,895,623	12,500
CR0	DCRA	6050	Expedited Permit Review	1,150,000	-



AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 23-760

July 27, 2020

Chairman Mendelson

~~ENGROSSED ORIGINAL~~

DB0	DHCD	610	DHCD Unified Fund	1,300,000	-
EB0	DMPED	419	H St Retail Priority Area	324,764	-
EN0	DSLBD	6160	Streetscape Loan Relief Fund	44,080	-
FB0	FEMS	601	FEMS Reform Fund	189,064	-
FL0	DOC	605	Corrections Reimbursement Juveniles	268,000	-
GD0	OSSE	620	Child Development Facilities Fund	86,737	-
GD0	OSSE	6007	Site Evaluation	40,000	-
GL0	DCSAC	619	State Athletic Acts Programming and Office Fund	49,801	-
HA0	DPR	602	Enterprise Fund Account		150,000
HC0	DOH	605	SHPDA Fees	47,351	4,000
HC0	DOH	632	Pharmacy Protection	286,116	5,393
HC0	DOH	633	Radiation Protection	-	3,500
HC0	DOH	643	Board of Medicine	659,477	145,493
HC0	DOH	656	EMS Fees	-	5,250
HT0	DHCF	111	Healthy DC Fund	449,244	-
HT0	DHCF	631	Medicaid Collections Third Party Liability	384,592	-
HT0	DHCF	632	Bill of Rights (Grievances and Appeals)	1,596,337	-
KG0	DOEE	645	Pesticide Product Registration	361,081	-
KG0	DOEE	646	Stormwater Fees	-	2,000
KG0	DOEE	647	Mold Assessment and Remediation	69,386	-
KG0	DOEE	654	Stormwater Permit Review	-	64,500

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 23-760

July 27, 2020

Chairman Mendelson

~~ENGROSSED ORIGINAL~~

KG0	DOEE	662	Renewable Energy Development Fund	-	30,000
KG0	DOEE	6400	DC Municipal Aggregation Program	57,510	-
KG0	DOEE	6500	Benchmarking Enforcement Fund	102,134	-
KG0	DOEE	6700	Sustainable Energy Trust Fund	-	40,000
KT0	DPW	6010	Super Can Program	37,751	-
KT0	DPW	6052	Solid Waste Diversion Fund	113,762	-
KT0	DPW	6082	Solid Waste Disposal Fee Fund	37,889	-
KT0	DPW	6591	Clean City Fund	205,723	-
KV0	DMV	6258	Motor Vehicle Inspection Station	1,200,000	-
LQ0	ABRA	110	Dedicated Taxes	783,683	-
LQ0	ABRA	6017	ABC—Import and Class License Fees	249,202	245,368
PO0	OCP	4010	DC Surplus Personal Property Sales Operation	-	10,000
RJ0	MLCIA	640	Subrogation Fund	8,369,115	-
RM0	DMH	640	DMH Medicare and Third Party Reimbursement	188,400	-
SR0	DISB	2100	HMO Assessment	-	17,763
SR0	DISB	2200	Insurance Assessment	-	120,790
SR0	DISB	2350	Securities and Banking Fund	1,100,000	370,403
SR0	DISB	2800	Captive Insurance	-	82,741
SR0	DISB	2910	Foreclosure Mediation Fund	29,650	-
TC0	DFHV	2400	Public Vehicles for Hire	-	21,000
TO0	OCTO	602	DC Net Services Support	3,295,975	-

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
Bill 23-760  
July 27, 2020  
Chairman Mendelson

~~ENGROSSED ORIGINAL~~

UC0	OUC	1630	911 and 311 Assessments	1,455,501	-
UP0	WI	-	Workforce Investments Fund	57,202,000	-
-	-	-	<b>Total</b>	<b>92,476,214</b>	<b>1,336,702</b>

4913  
4914  
4915  
4916  
4917  
4918  
4919  
4920  
4921  
4922  
4923  
4924  
4925  
4926  
4927  
4928  
4929

~~(b) Notwithstanding any provision of law limiting the use of funds in the accounts listed in D.C. Official Code § 47-392.02(j-5)(1) and (2), the amounts deposited and committed to those accounts pursuant to D.C. Official Code § 47-392.02(j-5) in Fiscal Year 2020, based on the Comprehensive Annual Financial Report for Fiscal Year 2019, shall, after such deposits and commitments have been made, be transferred by the Chief Financial Officer before the end of Fiscal Year 2020 to the unassigned balance of the General Fund of the District of Columbia.~~

~~(e)~~ The amounts identified in subsections (a) ~~and (b)~~ of this section shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

~~Sec. 8003. Applicability.~~

~~— This subtitle shall apply as of August 1, 2020.~~

~~**TITLE IX. CAPITAL BUDGET ADJUSTMENTS**~~

~~Sec. 9001. Short title.~~

~~This subtitle may be cited as the “Fiscal Year 2021 Capital Project Reallocation Approval Act of 2020”.~~

~~Sec. 9002. In Fiscal Year 2020, the Chief Financial Officer shall rescind or adjust capital project allotments as set forth in the following tabular array, with the savings to be used in~~

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
Bill 23-760  
July 27, 2020  
Chairman Mendelson

~~ENGROSSED ORIGINAL~~

4930 accordance with the Fiscal Year 2021 Local Budget Act of 2020, as approved by the Committee  
 4931 of the Whole on July 7, 2020 (Committee print of Bill 23-761):

<b>Owner Agency</b>	<b>Project No</b>	<b>Project Title</b>	<b>Fund Detail</b>	<b>Total</b>
<del>AB0</del>	<del>WIL04C</del>	<del>JOHN A. WILSON BUILDING FUND</del>	<del>301</del>	<del>(1,000,000)</del>
<del>AM0</del>	<del>BC101C</del>	<del>FACILITY CONDITION ASSESSMENT</del>	<del>300</del>	<del>(567,438)</del>
	<del>PL104C</del>	<del>ADA COMPLIANCE POOL</del>	<del>300</del>	<del>(200,000)</del>
	<del>PL402C</del>	<del>ENHANCEMENT COMMUNICATIONS INFRASTRUCTUR</del>	<del>300</del>	<del>(48,903)</del>
			<del>304</del>	<del>(101,097)</del>
	<del>PL601C</del>	<del>HVAC REPAIR RENOVATION POOL</del>	<del>300</del>	<del>210,000</del>
	<del>PL901C</del>	<del>ENERGY RETROFITTING OF DISTRICT BUILDING</del>	<del>300</del>	<del>(891,664)</del>
	<del>SPC01C</del>	<del>DC UNITED SOCCER STADIUM</del>	<del>300</del>	<del>(1,118,607)</del>
<del>AT0</del>	<del>IFSMPC</del>	<del>MP NEW FINANCIAL SYSTEM</del>	<del>304</del>	<del>43,117,668</del>
<del>BA0</del>	<del>AB102C</del>	<del>ARCHIVES</del>	<del>300</del>	<del>(11,869,946)</del>
<del>BN0</del>	<del>BRM26C</del>	<del>HSEMA EMERGENCY OPERATIONS CENTER RENOVA</del>	<del>300</del>	<del>(250,000)</del>
<del>CF0</del>	<del>PFL08C</del>	<del>PAID FAMILY LEAVE IT APPLICATION</del>	<del>304</del>	<del>(16,500,000)</del>
<del>EB0</del>	<del>AWR01C</del>	<del>SAINT ELIZABETHS E-CAMPUS INFRASTRUCTURE</del>	<del>300</del>	<del>45,271,655</del>
<del>FA0</del>	<del>BRM09C</del>	<del>EVIDENCE IMPOUND LOT RENOVATION</del>	<del>300</del>	<del>(1,250,000)</del>
<del>FB0</del>	<del>LC837C</del>	<del>RELOCATION OF ENGINE COMPANY 26</del>	<del>300</del>	<del>(3,850,000)</del>
<del>FL0</del>	<del>MA220C</del>	<del>EMERGENCY POWER SYSTEM UPGRADES</del>	<del>300</del>	<del>(750,000)</del>
<del>GA0</del>	<del>GM121C</del>	<del>MAJOR REPAIRS/MAINTENANCE</del>	<del>300</del>	<del>365,000</del>
	<del>OA737C</del>	<del>STODDERT ELEMENTARY SCHOOL MODERNIZATION</del>	<del>300</del>	<del>500,000</del>

	<del>SG403C</del>	<del>KEY ES</del>	<del>300</del>	<del>(500,000)</del>
	<del>TB137C</del>	<del>BRENT ES MODERNIZATION</del>	<del>300</del>	<del>(8,976,668)</del>
<del>HA0</del>	<del>NPKPPC</del>	<del>NATIONAL PARK PURCHASE</del>	<del>300</del>	<del>(5,000,000)</del>
	<del>QL201C</del>	<del>OFF-LEASH DOG PARKS</del>	<del>300</del>	<del>(1,550,000)</del>
	<del>QM701C</del>	<del>CHEVY CHASE COMMUNITY CENTER</del>	<del>300</del>	<del>(6,500,000)</del>
<del>JA0</del>	<del>HSW04C</del>	<del>WARD 4 TEMPORARY HOUSING FOR FAMILIES</del>	<del>300</del>	<del>(129,000)</del>
	<del>PSH01C</del>	<del>PSH UNITS FOR SENIOR WOMEN</del>	<del>300</del>	<del>5,673,332</del>
			<del>304</del>	<del>(5,673,332)</del>
<del>KA0</del>	<del>AW031C</del>	<del>S-CAPITOL ST/FREDERICK DOUGLASS BRIDGE</del>	<del>310</del>	<del>23,900,000</del>
	<del>LMB31C</del>	<del>NEW YORK AVENUE MEDIAN STREETSCAPES</del>	<del>300</del>	<del>(1,000,000)</del>
	<del>LMSAFC</del>	<del>SAFETY &amp; MOBILITY</del>	<del>300</del>	<del>1,039,000</del>
	<del>SA394C</del>	<del>STREETCAR - BENNING EXTENSION</del>	<del>300</del>	<del>(25,000,000)</del>
<del>KT0</del>	<del>CP201C</del>	<del>COMPOSTING FACILITY</del>	<del>300</del>	<del>(1,075,000)</del>
	<del>FLW02C</del>	<del>DPW - FLEET VEHICLES &gt; \$100K</del>	<del>304</del>	<del>(3,375,000)</del>
<b>Grand Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>22,900,000</b>

4932

4933 ~~Sec. 9003. Applicability.~~

4934 ~~— This subtitle shall apply as of September 30, 2020.~~

4935 **TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

4936 ~~Sec. 100019001.~~ Applicability.

4937 Except as otherwise provided, this act shall apply as of October 1, 2020.

4938 ~~Sec. 100029002.~~ Fiscal impact statement.

4939           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
4940 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
4941 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4942           Sec. ~~10003~~9003. Effective date.

4943           This act shall take effect following approval by the Mayor (or in the event of veto by the  
4944 Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
4945 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
4946 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
4947 Columbia Register.