

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Bill 24-718

April 19, 2022

Chairman Phil Mendelson  
at the request of the Mayor

A BILL

24-718

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To adjust, on a temporary basis, certain allocations in the Fiscal Year 2022 Local Budget Act of 2021 to maintain a balanced budget for the fiscal year ending September 30, 2022.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Fiscal Year 2022 Revised Local Budget Adjustment Temporary Act of 2022”.

Sec. 2. The appropriations set forth in the Fiscal Year 2022 Local Budget Act of 2020, effective November 3, 2021 (D.C. Law 24-43; 68 DCR 9702), are increased by \$213,059,946 ~~430,932,806~~ (including \$57,451,106 ~~164,482,510~~ in local funds and \$155,608,840 ~~266,450,296~~ in federal payment funds for COVID relief), to be allocated as follows:

**Governmental Direction and Support**

The appropriation for Governmental Direction and Support is increased by \$3,845,266 ~~7,050,057~~ (including \$5,032,966 ~~in local funds and \$2,017,091~~ in federal payment funds for COVID relief), to be allocated as follows:

~~(1) Board of Elections. \$14,000 is added to local funds;~~

(12) Executive Office of the Mayor. \$1,126,396 is added to federal

33 payment funds for COVID relief;

34 ~~(23)~~ Department of Human Resources. \$890,695 is added to federal

35 payment funds for COVID relief;

36 ~~(4) Office of the Chief Financial Officer. \$5,018,966 is added to local~~

37 ~~funds;~~ and

38 ~~(53)~~ Office of the Chief Technology Officer. \$1,828,176 is added to

39 federal payment funds for COVID relief.

### 40 **Economic Development and Regulation**

41 The appropriation for Economic Development and Regulation is increased by

42 ~~\$21,306,393 43,427,538~~ (including ~~\$12,794,713 34,915,858~~ in local funds and

43 \$8,511,680 in federal payment funds for COVID relief), to be allocated as follows:

44 (1) Office of the Deputy Mayor for Planning and Economic Development.

45 ~~\$20,794,713 42,915,858~~ is added (including ~~\$12,794,713 34,915,858~~ to local funds and

46 \$8,000,000 to federal payment funds for COVID relief); and

47 (2) Office of the Tenant Advocate. \$511,680 is added to federal payment

48 funds for COVID relief.

### 49 **Public Safety and Justice**

50 The appropriation for Public Safety and Justice is increased by \$611,344

51 ~~1,561,344 (including \$995,000 in local funds and \$556,344~~ in federal payment funds for

52 COVID relief), to be allocated as follows:

53 ~~(1) Fire and Emergency Medical Services Department. \$995,000 is added~~

54 ~~to local funds;~~

55 ~~(12)~~ Office of Administrative Hearings. \$250,000 is added to federal

56 payment funds for COVID relief; and

57 (23) Office of Neighborhood Safety and Engagement. \$3461,344 is added

58 to federal payment funds for COVID relief.

59 **Public Education System**

60 The appropriation for Public Education System is increased by \$64,432,333

61 (~~including \$5,071,500 in local funds and \$57,360,833 in federal payment funds for~~

62 COVID relief), to be allocated as follows:

63 (1) ~~Department of Parks and Recreation. \$5,071,500 is added to local~~

64 ~~funds;~~

65 (12) District of Columbia Public Schools. \$29,930,833 is added to federal

66 payment funds for COVID relief; and

67 (23) Office of the State Superintendent of Education. \$27,430,000 is

68 added to federal payment funds for COVID relief.

69 **Human Support Services**

70 The appropriation for Human Support Services is increased by \$120,379,716

71 ~~168,079,221~~ (including \$35,100,000 ~~84,399,505~~ in local funds and \$85,279,716

72 ~~83,679,716~~ in federal payment funds for COVID relief), to be allocated as follows:

73 (1) Department of Behavioral Health. \$4,161,767 is added to federal

74 payment funds for COVID relief;

75 (2) Health Benefit Exchange Subsidy. \$1,600,000 is added to federal

76 payment funds for COVID relief; ~~Department of Health Care Finance. \$49,299,505 is~~

77 ~~added to local funds;~~ and

78 (3) Department of Human Services. \$114,617,949 is added (including

79 \$35,100,000 to local funds and \$79,517,~~967,949~~ to federal payment funds for COVID  
80 relief).

81 **~~Operations and Infrastructure~~**

82 ~~———— The appropriation for Operations and Infrastructure is increased by \$4,873,902 in~~  
83 ~~local funds, to be allocated as follows:~~

84 ~~———— (1) Department of For Hire Vehicles. \$4,873,902 is added to local funds.~~

85 **Financing and Other**

86 The appropriation for Financing and Other is increased by \$9,556,393  
87 136,161,235 (including \$29,193,779 in local funds and \$106,967,456 in federal payment  
88 funds for COVID relief), to be allocated as follows:

89 (1) ~~Non-Departmental Account. \$126,604,842 is added (including~~  
90 ~~\$19,637,386 to local funds and \$106,967,456 to federal payment funds for COVID~~  
91 ~~relief); and~~

92 ~~———— (2) Repay Emergency and Contingency Reserve Funds. \$9,556,393 is~~  
93 ~~added to local funds.~~

94 **~~Enterprise and Other~~**

95 ~~———— The appropriation for Enterprise and Other is increased by \$5,474,000 in federal~~  
96 ~~payment funds for COVID relief, to be allocated as follows:~~

97 ~~(1) Health Benefit Exchange Authority. \$5,474,000 is added to federal~~  
98 ~~payment funds for COVID relief.~~

99 ~~Sec. 3. Capital project rescissions and increases.~~

100 ~~In Fiscal Year 2022, the Chief Financial Officer shall rescind or increase~~  
101 ~~capital project allotments as set forth in the following tabular array:~~

<b>Project No</b>	<b>Project Title</b>	<b>Fund Detail</b>	<b>Total</b>
GM121C	Major Repairs/Maintenance	300	\$1,500,000
HM1CM	OHR Case Management	300	\$450,000
W601C	Senior Wellness Center Renovation Pool	300	\$400,000
LMB28C	S Street NW Streetscape	300	\$9,124,500
LMFAC	Facilities	300	\$2,000,000
N2522C	Data Center Relocation (Reeves Center)	300	\$5,000,000
EB016	Park Morton Redevelopment Initiative	300	\$20,000,000
LMJKBC	Key Bridge Exxon Property	300	(\$10,000,000)
EB432	Frank D. Reeves Center	300	(\$5,000,000)
EB012	33 K Street NW	309	(\$20,000,000)
EB007	1234 Good Hope Road SE	300	(\$2,500,000)
PLSISC	FY 2021 Inaugural Reviewing Stands	300	(\$974,500)

102

103

~~Sec. 4. Medicaid Home and Community Based Services Enhancement Fund.~~

104

~~— The Department of Health Care Finance Establishment Act of 2007, effective~~

105

~~February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended~~

106

~~by adding a new section 8d to read as follows:~~

107

~~— “Sec. 8d. Home and Community Based Services Enhancement Fund.~~

108

~~— “(a) There is established as a special fund the Medicaid Home and Community-~~

109

~~Based Services Enhancement Fund (“Fund”), which shall be administered by the~~

110

~~Department in accordance with subsections (c) and (d) of this section.~~

111

~~— “(b)(1) On or before October 1, 2022, the Chief Financial Officer shall deposit~~

112

~~into the Fund an amount of local funds equal to the amount of federal funds received by~~

113

~~the District attributable to the increase in the federal medical assistance percentage~~

114

~~authorized by section 9817 of the American Rescue Plan Act of 2021, approved March~~

115

~~11, 2021 (135 Stat. 216; 42 U.S.C. 1396d note) (the “Section 9817 Enhancement~~

116 Amount”), minus the amount of the Section 9817 Enhancement Amount expended by the  
117 District before the date the Chief Financial Officer makes the deposit required by this  
118 paragraph.

119 ~~—————“(2) There shall be deposited into the Fund after the date the Chief  
120 Financial Officer makes the deposit required by paragraph (1) of this subsection an  
121 amount of local funds equal to the amount of any additional federal funds received by the  
122 District attributable to the increase in the federal medical assistance percentage  
123 authorized by section 9817 of the American Rescue Plan Act of 2021, approved March  
124 11, 2021 (135 Stat. 216; 42 U.S.C. 1396d note).~~

125 ~~—————“(c) Money in the Fund shall be used only to fund the implementation of activities  
126 that enhance, expand, or strengthen Medicaid home and community-based services, as  
127 described in the Initial Spending Plan and Narrative for Enhanced Funding for Medicaid  
128 Home and Community Based Services under Section 9817 of the American Rescue Plan  
129 Act of 2021, as such plan may be updated from time to time, or as otherwise authorized  
130 by the Centers for Medicare and Medicaid Services.~~

131 ~~—————“(d)(1) The money deposited into the Fund but not expended in a fiscal year shall  
132 not revert to the unassigned fund balance of the General Fund of the District of Columbia  
133 at the end of a fiscal year, or at any other time.~~

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

137 ~~—————[Sec. 5. Universal paid leave expansion.](#)~~

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

140 ~~\_\_\_\_\_ (a) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:~~

141 ~~\_\_\_\_\_ (1) Subsection (b) is amended by adding a new paragraph (3) to read as~~  
142 ~~follows:~~

143 ~~\_\_\_\_\_ “(3) This subsection shall not apply to claims filed on or after July 25,~~  
144 ~~2022.”.~~

145 ~~\_\_\_\_\_ (2) Subsection (e-1)(3) is amended to read as follows:~~

146 ~~\_\_\_\_\_ “(3) For claims filed on or after October 1, 2022, the maximum duration~~  
147 ~~for each type of paid leave benefits within a 52-workweek shall be:~~

148 ~~\_\_\_\_\_ “(A) 12 workweeks of qualifying parental leave;~~

149 ~~\_\_\_\_\_ “(B) 12 workweeks of qualifying family leave;~~

150 ~~\_\_\_\_\_ “(C) 12 workweeks of qualifying medical leave; and~~

151 ~~\_\_\_\_\_ “(D) 2 workweeks of qualifying pre-natal leave.”.~~

152 ~~\_\_\_\_\_ (b) Section 104a (D.C. Official Code § 32-541.04a) is amended as follows:~~

153 ~~\_\_\_\_\_ (1) Subsection (b)(3) is amended to read as follows:~~

154 ~~\_\_\_\_\_ “(3) An employer contribution rate change provided for in subsection~~  
155 ~~(e)(2) of this section shall apply as of July 1 of the year in which the employer~~  
156 ~~contribution rate change will not cause the projected fund balance of the Universal Paid~~  
157 ~~Leave Fund to fall below the equivalent of 9 months of benefits at the expanded tier, as~~  
158 ~~certified pursuant to paragraph (1) of this subsection.”.~~

159 ~~\_\_\_\_\_ (2) Subsection (c) is amended as follows:~~

160 ~~\_\_\_\_\_ (A) Paragraph (1) is repealed.~~

161 ~~—————(B) Paragraph (2) is amended by striking the phrase “Beginning~~  
162 ~~with July 1 of the first year in which all paid leave benefit expansions set forth in~~  
163 ~~paragraph (1) of this subsection have been implemented, and annually thereafter,” and~~  
164 ~~inserting the phrase “Beginning with July 1, 2022, and annually thereafter,” in its place.~~

165 Sec. 63. Fiscal impact statement.

166 The Council adopts the fiscal impact statement of the ~~Chief Financial~~  
167 ~~Officer~~Budget Director as the fiscal impact statement required by section 4a of the  
168 General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038;  
169 D.C. Official Code § 1-301.47a).

170 Sec. 74. Effective date.

171 (a) This act shall take effect following approval by the Mayor (or in the event of  
172 veto by the Mayor, action by the Council to override the veto), a 30-day period of  
173 Congressional review as provided in section 602(c)(1) of the District of Columbia Home  
174 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
175 206.02(c)(1)), and publication in the District of Columbia Register.

176 (b) This act shall expire after 225 days of its having taken effect.