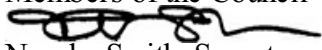


COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council
From :  Nyasha Smith, Secretary to the Council
Date : Monday, March 21, 2022
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, March 17, 2022. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2022 Revised Local Budget Emergency Act of 2022", B24-0717

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

Retained by the Council with comments from the Committee on Committee of the Whole.

Attachment
cc: General Counsel
Budget Director
Legislative Services

Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To adjust, on an emergency 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 Emergency 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 \$430,932,806 (including \$164,482,510 in local funds and \$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 \$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;

(2) Executive Office of the Mayor. \$1,126,396 is added to federal payment funds for COVID relief;

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

32 payment funds for COVID relief;

33 (4) Office of the Chief Financial Officer. \$5,018,966 is added to local
34 funds; and

35 (5) Office of the Chief Technology Officer. \$1,828,176 is added to federal
36 payment funds for COVID relief.

37 **Economic Development and Regulation**

38 The appropriation for Economic Development and Regulation is increased by
39 \$43,427,538 (including \$34,915,858 in local funds and \$8,511,680 in federal payment
40 funds for COVID relief), to be allocated as follows:

41 (1) Office of the Deputy Mayor for Planning and Economic Development.
42 \$42,915,858 is added (including \$34,915,858 to local funds and \$8,000,000 to federal
43 payment funds for COVID relief); and

44 (2) Office of the Tenant Advocate. \$511,680 is added to federal payment
45 funds for COVID relief.

46 **Public Safety and Justice**

47 The appropriation for Public Safety and Justice is increased by \$1,561,344
48 (including \$995,000 in local funds and \$556,344 in federal payment funds for COVID
49 relief), to be allocated as follows:

50 (1) Fire and Emergency Medical Services Department. \$995,000 is added
51 to local funds;

52 (2) Office of Administrative Hearings. \$250,000 is added to federal
53 payment funds for COVID relief; and

54 (3) Office of Neighborhood Safety and Engagement. \$316,344 is added to

55 federal payment funds for COVID relief.

56 **Public Education System**

57 The appropriation for Public Education System is increased by \$64,432,333
58 (including \$5,071,500 in local funds and \$57,360,833 in federal payment funds for
59 COVID relief), to be allocated as follows:

60 (1) Department of Parks and Recreation. \$5,071,500 is added to local
61 funds;

62 (2) District of Columbia Public Schools. \$29,930,833 is added to federal
63 payment funds for COVID relief; and

64 (3) Office of the State Superintendent of Education. \$27,430,000 is added
65 to federal payment funds for COVID relief.

66 **Human Support Services**

67 The appropriation for Human Support Services is increased by \$168,079,221
68 (including \$84,399,505 in local funds and \$83,679,716 in federal payment funds for
69 COVID relief), to be allocated as follows:

70 (1) Department of Behavioral Health. \$4,161,767 is added to federal
71 payment funds for COVID relief;

72 (2) Department of Health Care Finance. \$49,299,505 is added to local
73 funds; and

74 (3) Department of Human Services. \$114,617,949 is added (including
75 \$35,100,000 to local funds and \$79,517,967 to federal payment funds for COVID relief).

76 **Operations and Infrastructure**

77 The appropriation for Operations and Infrastructure is increased by \$4,873,902 in

78 local funds, to be allocated as follows:

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

80 **Financing and Other**

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

84 (1) Non-Departmental Account. \$126,604,842 is added (including
85 \$19,637,386 to local funds and \$106,967,456 to federal payment funds for COVID
86 relief); and

87 (2) Repay Emergency and Contingency Reserve Funds. \$9,556,393 is
88 added to local funds.

89 **Enterprise and Other**

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

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

94 Sec. 3. Capital project rescissions and increases.

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

Project No	Project Title	Fund Detail	Total
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)

97

98 Sec. 4. Medicaid Home and Community-Based Services Enhancement Fund.

99 The Department of Health Care Finance Establishment Act of 2007, effective
100 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended
101 by adding a new section 8d to read as follows:

102 “Sec. 8d. Home and Community-Based Services Enhancement Fund.

103 “(a) There is established as a special fund the Medicaid Home and Community-
104 Based Services Enhancement Fund (“Fund”), which shall be administered by the
105 Department in accordance with subsections (c) and (d) of this section.

106 “(b)(1) On or before October 1, 2022, the Chief Financial Officer shall deposit
107 into the Fund an amount of local funds equal to the amount of federal funds received by
108 the District attributable to the increase in the federal medical assistance percentage
109 authorized by section 9817 of the American Rescue Plan Act of 2021, approved March
110 11, 2021 (135 Stat. 216; 42 U.S.C. 1396d note) (the “Section 9817 Enhancement
111 Amount”), minus the amount of the Section 9817 Enhancement Amount expended by the
112 District before the date the Chief Financial Officer makes the deposit required by this
113 paragraph.

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

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

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

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

132 Sec. 5. Universal paid leave expansion.

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

135 (a) Section 104 (D.C. Official Code § 32-541.04) is amended as follows:

136 (1) Subsection (b) is amended by adding a new paragraph (3) to read as
137 follows:

138 “(3) This subsection shall not apply to claims filed on or after July 25,
139 2022.”.

140 (2) Subsection (e-1)(3) is amended to read as follows:

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

143 “(A) 12 workweeks of qualifying parental leave;

144 “(B) 12 workweeks of qualifying family leave;

145 “(C) 12 workweeks of qualifying medical leave; and

146 “(D) 2 workweeks of qualifying pre-natal leave.”.

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

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

149 “(3) An employer contribution rate change provided for in subsection

150 (c)(2) of this section shall apply as of July 1 of the year in which the employer

151 contribution rate change will not cause the projected fund balance of the Universal Paid

152 Leave Fund to fall below the equivalent of 9 months of benefits at the expanded tier, as

153 certified pursuant to paragraph (1) of this subsection.”.

154 (2) Subsection (c) is amended as follows:

155 (A) Paragraph (1) is repealed.

156 (B) Paragraph (2) is amended by striking the phrase “Beginning

157 with July 1 of the first year in which all paid-leave benefit expansions set forth in

158 paragraph (1) of this subsection have been implemented, and annually thereafter,” and
159 inserting the phrase “Beginning with July 1, 2022, and annually thereafter,” in its place.

160 Sec. 6. Fiscal impact statement.

161 The Council adopts the fiscal impact statement of the Chief Financial Officer as
162 the fiscal impact statement required by section 4a of the General Legislative Procedures
163 Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-
164 301.47a).

165 Sec. 7. Effective date.

166 This act shall take effect following approval by the Mayor (or in the event of veto
167 by the Mayor, action by the Council to override the veto), and shall remain in effect for
168 no longer than 90 days, as provided for emergency acts of the Council of the District of
169 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
170 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).