

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: May 29, 2017

SUBJECT: Report on Bill 22-244, the “Fiscal Year 2018 Budget Support Act of 2017”

The Committee of the Whole, to which Bill 22-244 was referred, reports favorably thereon with amendments and recommends approval by the Council.

CONTENTS

I.	Background and Need.....	1
II.	Legislative Chronology.....	2
III.	Position of the Executive	2
IV.	Comments of Advisory Neighborhood Commissions	2
V.	List of Witnesses.....	3
VI.	Impact on Existing Law.....	4
VII.	Fiscal Impact.....	4
VIII.	Subtitle-by-Subtitle Analysis.....	5
IX.	Committee Action.....	22
X.	Attachments.....	22

I. BACKGROUND AND NEED

The purpose of Bill 22-244, the Fiscal Year 2018 Budget Support Act of 2017 (“FY 2018 BSA”), is to amend or enact various provisions of law that support the implementation of a balanced Fiscal Year 2018 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on Bill 22-244 is available in the various committee budget reports. The committee print attached to this report contains FY 2018 BSA subtitles as recommended by the Committee of the Whole based on recommendations and feedback from the various Council committees. The Committee of the Whole recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations play an important role in the performance and budget review process by the Council. The Committee of the Whole expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

II. LEGISLATIVE CHRONOLOGY

March 24, 2017	Notice of public hearings on the proposed Fiscal Year 2018 Budget and Financial Plan is published in the <i>District of Columbia Register</i> (updates to the schedule of budget oversight hearings published March 31, April 28, and May 5)
April 4, 2017	Chairman Mendelson introduces Bill 22-244 on behalf of the Mayor
April 6, 2017	Committee of the Whole holds a public briefing on the Mayor's Fiscal Year 2018 Proposed Budget and Financial Plan
April 14, 2017	Notice of Intent to Act on Bill 22-244 is published in the <i>District of Columbia Register</i>
April 7 – May 11, 2017	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2018 Budget Support Act of 2017 that were referred to them for comments
May 12, 2017	Committee of the Whole holds a public hearing on Bill 22-239, Bill 22-241, Bill 21-242, and Bill 22-244
May 16-18, 2017	Committees mark up and approve their budget recommendations for Fiscal Year 2018
May 30, 2017	Committee of the Whole marks up Bill 22-244

III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced Bill 22-244 on behalf of the Mayor. On May 11, 2017, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 22-244 and budget documents. The errata letter is included in the attachments to this report.

At the May 12, 2017 hearing on Bill 22-244, City Administrator Rashad Young presented testimony on behalf of the Mayor.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received a letter from the Chair of Advisory Neighborhood Commission (ANC) 7E requesting that the Council approve additional funding for the Capitol View Library. Commissioner Jonathan McHugh (ANC 3E05) provided oral testimony reading a resolution adopted by ANC 3E on April 13, 2017, urging the District to adopt increased

education funding. Both the ANC 7E letter and ANC 3E resolution are included as part of the hearing record.

V. LIST OF WITNESSES¹

The Committee of the Whole held a public hearing on Bill 22-244 and other budget-related legislation on May 12, 2017.² The witnesses were:

- | | | |
|-----|----------------------|--|
| 1. | Ed Lazere | Executive Director, DC Fiscal Policy Institute |
| 2. | Ilana Boivie | Senior Policy Analyst, DC Fiscal Policy Institute |
| 3. | Judith Sandalow | Executive Director, Children's Law Center |
| 4. | Maggie Riden | Executive Director, DC Alliance of Youth Advocates |
| 5. | Nechama Masliansky | Senior Advisor, SOME Inc. |
| 6. | Betty Gentle | Advocacy & Community Engagement Specialist, SOME, Inc. |
| 7. | Stacey Barton | DC Association of REALTORS |
| 8. | Deborah Shore | Executive Director, Sasha Bruce Youthwork, Inc. |
| 9. | Shelley Tomkin | Ward 3 Democratic Committee |
| 10. | Jesse Lovell | Ward 3 Democratic Committee |
| 11. | Amber Harding | Attorney, Washington Legal Clinic for the Homeless |
| 12. | Diana Kelly Alvord | Public Witness |
| 13. | David Schwartzman | D.C. Statehood Green Party |
| 14. | Elizabeth McNichol | Senior Fellow, Center on Budget and Policy Priorities |
| 15. | Monica Kamen | Co-Director, DC Fair Budget Coalition |
| 16. | Adam Kent | Local Initiatives Support Corporation |
| 17. | Matthew Hanson | Campaigns Director, DC Working Families |
| 18. | Alexis Valauri-Orton | Public Witness |
| 19. | Jeffrey Gutman | Public Witness |
| 20. | Jesse Rabinowitz | Miriam's Kitchen |
| 21. | Lara Pukatch | Director of Advocacy, Miriam's Kitchen |
| 22. | Beverly Wheeler | Executive Director, DC Hunger Solutions |
| 23. | Erin Palmer | Public Witness |
| 24. | Emmanuel Caudillo | D.C. Education Coalition for Change |
| 25. | Elaine Sarao | Public Witness |
| 26. | Maria Cuprill | Public Witness |
| 27. | Carol Spring | Public Witness |
| 28. | Porter McConnell | Director, Financial Transparency Coalition |
| 29. | Sylvester Bush | Public Witness |
| 30. | Eric Atilano | Public Witness |
| 31. | Randolph Clarke | DC Federation of National Active and Retired Federal Employees |

¹ Note: written testimony and comments are filed with the record for Bill 22-242.

² All of the Council's committees held hearings between April 6 and May 11, 2017, inclusive, on the Mayor's proposed budget; in many cases, testimony at those hearings addressed various provisions of the FY 2018 BSA.

32.	Jamie Kamlet Fragle	Director of Advocacy and Communications, Academy of Hope Adult Public Charter School
33.	Chris Weiss	Executive Director, DC Environmental Network
34.	Ericka Wadlington	DC Chamber of Commerce
35.	Rev. Charles McNeil	Coalition to Restore the Pension Exclusion
36.	Antara Duetta	Public Witness
37.	Frances Bellinger	Friends of the Capitol View Library
38.	Iola Anyan	Capitol View Library Coalition
39.	Bethany Nickerson	Local School Advisory Team, Wilson High School
40.	Karma Cottman	Executive Director, DC Coalition Against Domestic Violence
41.	Robin Thurston	Public Witness
42.	Pearl Strand	Wilson High School Student
43.	Samuel Alten	Wilson High School Student
44.	Charlotte Oakley	Public Witness
45.	Bobbi Moss	Public Witness
46.	Samantha Waxman	Resource Generation
47.	Akiva Wolberg	Resource Generation
48.	Alli McCracken	Jews United for Justice
49.	Sarah Gordon	Janney Elementary LSAT
50.	Suzanne Smalley	Janney Elementary LSAT
51.	Alecia Brinkerhoff	Janney Elementary LSAT
52.	Bethany Rubin Henderson	Executive Director, DC SCORES
53.	Antionette Lawson	Public Witness
54.	Travis Ballie	Public Witness
55.	Ruth Tyson	Public Witness
56.	Linnea Lassiter	Policy Analyst, DC Fiscal Policy Institute
57.	Beatrice Evans	Public Witness
58.	Jonathan McHugh	Commissioner, ANC 3E05
59.	Holly Seibold	Executive Director, Bringing Resources to Aid Women's Shelters (BRAWS)
60.	Raed Jarrar	Public Witness
61.	Chioma Oruh	Inclusive Prosperity Coalition
62.	Terri Acker	Public Witness
63.	Aja Taylor	Bread for the City
64.	Charles Crews	Public Witness
65.	Rashad Young	City Administrator, Office of the City Administrator

The following submitted statements for the record:

66.	Dan Rifle	Public Testimony
67.	Zach Schalk	Communication Chair, DC for Democracy
68.	Ashley Emerson	Chair, ANC 7E (SMD 7E05)
69.	Tyrone Chisholm	Public Testimony
70.	Russ Williams	President, CEO of Center City Public Charter School

71.	Holly Seibold	BRAWS
72.	Amy Rothshild	Public Testimony
73.	Catherine Plume	Public Testimony
74.	Jennifer Dickman	Sierra Club – DC Chapter
75.	Joanna Blotner	Public Testimony
76.	Mark Rodeffer	Chair, D.C. Sierra Club
77.	Rebecca Barson	Public Testimony

VI. IMPACT ON EXISTING LAW

Bill 22-244 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *infra*.

VII. FISCAL IMPACT

Bill 22-244 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the fiscal year 2018 budget. The fiscal impact of the legislation is set forth in the attached fiscal impact statement of the Office of the Chief Financial Officer (“OCFO”).

VIII. SUBTITLE-BY-SUBTITLE ANALYSIS³

Section 1 States the short title of Bill 22-244.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

Subtitle A. Executive Service Pay Schedule Conformity Amendment Act of 2017: removes outdated language from the District of Columbia Government Comprehensive Merit Personnel Act; returns two positions to the Executive Service pay schedule; and reiterates that any salaries noted in this section shall not be used as the basis for determining the salaries of future officeholders. The subtitle also incorporates the new DCPS Chancellor’s compensation, as requested in the Mayor’s errata letter.

Subtitle B. Unjust Conviction and Imprisonment Compensation Amendment Act of 2017: revises the District of Columbia Unjust Imprisonment Act to provide, in addition to the existing right to present a claim for damages, the option for an administrative process to secure compensation for unjust conviction and imprisonment based on innocence; establishes the process and requirements to petition for administrative relief with the Office of Victim Services and Justice Grants; provides for action for mandamus relief in cases where the petition for relief is denied; establishes compensation and benefits for a petitioner granted relief, including \$200,000 for each year of incarceration, \$40,000 for each year served on parole, probation, or as a registered sex

³ Due to the size and complexity of the committee print of Bill 22-244, and in keeping with standard Council practice and Council Rule 803(j), this part of the report analyzes the legislation by subtitle, rather than by section.

offender, and reimbursement for child support payments owed but unpaid during the wrongful imprisonment; provides for an immediate grant of \$10,000 for immediate services, including housing, transportation, subsistence, re-integrative services, and mental and physical health care; entitles successful petitioner to physical and mental health care for life through the D.C. Healthcare Alliance, and reimbursement for tuition and fees paid to the University of the District of Columbia or the DC Community College for the petitioner's education; provides that a petitioner who prevails in an action for mandamus relief shall be awarded reasonable attorney's fees related to that action; exempts compensation under this subtitle from District taxes; requires the Court provide to those released from incarceration due to innocence, within 5 days of release, guidance on the administrative process for compensation.

Subtitle C. Office of Administrative Hearings Payroll Adjustment and Clarification Amendment Act of 2017: amends the Office of Administrative Hearings Establishment Act to change position titles to reflect the current practice within the agency, and changes non-political positions that were labeled Excepted Service to the Management Supervisory Service or Legal Service, as applicable.

Subtitle D. Office of Employee Appeals Member Compensation Amendment Act of 2017: increases the annual cap on compensation for members of the Office of Employee Appeals Board from \$3,000 to \$6,000 and for the Chair of the Board from \$3,600 to \$7,200.

Subtitle E. Unemployment Compensation for Victims of Domestic Violence Amendment Act of 2017: adds a new subsection to the Unemployment Compensation Act to exempt employers who have elected to self-insure for purposes of unemployment insurance from liability for benefits paid when a claim is due to interruption of work because of domestic violence.

Subtitle F. Public Employee Relations Board Compensation Amendment Act of 2017: increases the annual cap on compensation for members of the Public Employee Relations Board from \$3,000 to \$6,000 and from \$3,600 to \$7,200 for the Chair of the Board.

Subtitle G. Wage Theft Clarification Amendment Act of 2017: amends several provisions within wage theft law, including clarifications related to process requirements, timing for an order for payment, notice of the right to appeal, timely filing, and other elements of the appeals process; and replaces the word "restitution" with "relief."

Subtitle H. Legislative Branch Performance Bonus Pay Amendment Act of 2017: amends the government-wide Bonus Pay and Special Awards Pay Act to allow legislative branch personnel authorities to establish performance evaluation and bonus policies that are tailored to each authority.

Subtitle I. Fiscal Impact Statement Clarification Amendment Act of 2017: expands the exception for issuance of fiscal impact statements to Council appointments and other resolutions that express simple determinations by the Council of a special or temporary character.

Subtitle J. Auditor Legal Fund Elimination Act of 2017: repeals the fund, which is defunct.

Subtitle K. Compliance Unit Repeal Amendment Act of 2017: repeals the Auditor Compliance Unit, which is duplicative of existing oversight of certified business enterprise spending at the Department of Small and Local Business Development.

Subtitle L. Legislative Branch Employee Retirement Benefits Match Amendment Act of 2017: requires the District to match legislative branch employees' contributions to a 457 plan up to 3% of the employee's base salary per pay period.

Subtitle M. Surplus Property Fund Clarification Amendment Act of 2017: clarifies that the fund may be used for all administrative costs related to the disposal of surplus property.

Subtitle N. Contract Appeals Board Rulemaking Amendment Act of 2017: authorizes the Contract Appeals Board to issue rules to carry out its section of the Procurement Practices Reform Act.

Subtitle O. Street and Alley Designation Clarification Amendment Act of 2017: clarifies provisions in the Street and Alley Closing and Acquisition Procedures Act by defining "Initiator" and clarifying notice requirements for official designations.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

Subtitle A. Historic Only Permit Fee Reduction Amendment Act of 2017: lowers the cost of permits for work done in historic districts fee to be on par with building permits of similar structures outside of historic districts.

Subtitle B. Public Servants and First-Responders Housing Incentive Amendment Act of 2017: expands the Government Employer-Assisted Housing Program by increasing the maximum amount of funding for a deferred payment loan from \$10,000 to \$20,000, increasing matching funds for all public servants, providing additional matching funds for first responders and correctional officers, and providing an additional housing grant of \$10,000 to first responders who agree to a five-year service obligation, with certain requirements.⁴

Subtitle C. Housing Production Trust Fund Amendment Act of 2017: amends the Housing Production Trust Fund Act to allow up to 15% of the funds deposited to be used for administration of the fund; and restricts monies from this fund from supporting four specific houses in Historic Anacostia.

Subtitle D. Housing Preservation Trust Fund Establishment Act of 2017: establishes a special fund to be administered by the Department of Housing and Community Development for the purposes of providing debt or equity to finance housing preservation activities, including acquisition bridge loans, predevelopment expenses, environmental remediation, critical repairs and other activities necessary to preserve the affordability of housing units; requires recipient projects to execute an affordability covenant; restricts monies from this fund from supporting four

⁴ This subtitle incorporates provisions of Bill 22-105, the First Responders Housing Incentive Program Amendment Act of 2017, introduced on February 7, 2017.

specific houses in Historic Anacostia; and prohibits use of the fund for any property identified in the Historic Preservation of Derelict Properties Act.

Subtitle E. St. Elizabeths East Campus Redevelopment Fund: establishes a nonlapsing fund to be administered by the Deputy Mayor for Planning and Economic Development; provides that beginning October 1, 2018 until September 30, 2021 all taxes, penalties and interest, up to \$855,000, collected attributed to payments or transaction generated from the site shall be deposited into the fund; abates any taxes imposed in excess of \$855,000 per fiscal year; provides that beginning in Fiscal Year 2022 until the ground lease expires all taxes attributed to the site will be deposited into the fund; specifies fund uses as those to support the maintenance, operation, and construction activities on the St. Elizabeth's East Campus Redevelopment Site; grants authority to the Deputy Mayor to award grants in furtherance of those purposes; and defines certain terms.

Subtitle F. Land Disposition Transparency Amendment Act of 2017: exempts from notice and public hearing requirements of the Land Disposition and Clarification Act 10 properties that were in the surplus and disposition process prior to the Act's passage; and requires at least one public hearing before submitting the proposed resolutions to Council.

Subtitle G. Marion Barry Summer Youth Employment Program Amendment Act of 2017: raises the age limit on the Marion S. Barry Summer Youth Employment program from 21 years of age to 24 years of age; provides that no more than 900 youth ages 22 to 24 can take part in the program; sets the compensation for those ages 22-24 at the District's minimum wage; removes the statutory language mandating the registration deadlines for the program.

Subtitle H. Business License Technology Fee Reauthorization Amendment Act of 2017: amends the District of Columbia Municipal Regulations to allow the agency to charge an additional fee of 10% of the total cost of each basic business license to cover the costs of enhanced technological capabilities of the licensing system, beginning October 1, 2010.⁵

Subtitle I. Walter Reed Omnibus Amendment Act of 2017: amends the Walter Reed Omnibus Act of 2016 by replacing the phrase "public utilities" with "utility providers" to allow the utility partner with easements to run the necessary utilities.

Subtitle J. Public Accessible Rent Control Housing Clearinghouse Amendment Act of 2017: mandates the Office of the Tenant Advocate, in consultation with the Department of Consumer and Regulatory Affairs, the Office of Tax and Revenue, the Rental Accommodations Division, the Housing Provider Ombudsman, and the Office of the Chief Technology Officer, develop a demonstration project to establish the initial framework for the establishment of a searchable, real-time, online database of all rental housing accommodations subject to rent control.

Subtitle K. District of Columbia Housing Authority Rehabilitation and Maintenance Fund Administration Amendment Act of 2017: clarifies that the existing fund shall be administered by the Office of the Chief Financial Officer; provides that money in the R&M Fund

⁵ The Council recently approved identical measures, the Business License Technology Fee Reauthorization Emergency Amendment Act of 2017, enacted March 27, 2017 (D.C. Act 22-30; 64 DCR 3082); and the Business License Technology Fee Reauthorization Temporary Amendment Act of 2017, enacted April 25, 2017 (D.C. Act 22-52; 64 DCR 4023).

shall be used for maintenance, repair, and rehabilitation projects that will increase public housing units; and requires the District of Columbia Housing Authority to submit a report to the Mayor and the Council, by March 1 of each year, that lists the number of vacant public housing units and the number of public housing units that had new tenants because of R&M Fund investments.

Subtitle L. Coalition for Nonprofit Housing and Economic Development Grants Act of 2017: requires the Deputy Mayor for Planning and Economic Development issue a \$200,000 grant to the Coalition for Non-Profit Housing and Economic Development to support the launch of the D.C. Anchor Partnership, a collaborative effort of universities and hospitals located in the District to increase their percentage of contracts with small, local minority businesses.

Subtitle M. Department of Small and Local Business Development Competitive Grants Act of 2017: requires the Department of Small and Local Business Development issue a competitive grant to assess local and small business capacity as it relates to subcontracting and certified business enterprise utilization for government-assisted projects.

Subtitle N. Ward 7 and Ward 8 Entrepreneur Grant Fund Establishment Act of 2017: creates a Ward 7 and Ward 8 Entrepreneur Grant Fund (Fund) administered by the Department of Small and Local Business; authorizes funds to be used to assist businesses in Wards 7 and 8; sets requirements for the program; limits each grant to a maximum of \$10,000.

Subtitle O. Georgia Avenue Retail Priority Area Amendment Act of 2017: expands existing boundaries of the Ward 4 Georgia Avenue Retail Priority Area to include approximately 9 blocks between Euclid Street, N.W., and Kenyon Street, N.W. This subtitle mirrors emergency and temporary legislation passed by Council November 15, 2016;⁶ and the Committee on Business & Economic Development held a public hearing on the permanent legislation, Bill 22-1, on May 8, 2017.

Subtitle P. H Street, N.E., Retail Priority Area Clarification Amendment Act of 2017: clarifies the location of businesses eligible to receive retail development project grants within the H Street, N.E., Retail Priority Area; removes the restriction that grant eligible retail development projects must be on H Street, N.E. and expands eligibility to projects that front on the commercial corridors in the Retail Priority Area; and expands the boundaries of the Bladensburg Road, N.E., Retail Priority Area. This subtitle also substantially reflects language passed in emergency and temporary measures;⁷ and the Committee on Business & Economic Development held a public hearing on the permanent legislation, Bill 22-115, on May 8, 2017.

Subtitle Q. Surplus and Disposition Notification Amendment Act of 2017: requires the Department of General Services (DGS) and the Deputy Mayor for Planning and Economic Development to create a digital form or other tool that enables residents to sign up for e-mail updates regarding surpluses and dispositions within the boundaries of their local Advisory

⁶ Georgia Avenue Retail Priority Area Emergency Amendment Act of 2016, enacted November 18, 2016 (D.C. Act 21-536; 63 DCR 14349); Georgia Avenue Retail Priority Area Temporary Amendment Act of 2016, effective February 17, 2017 (D.C. Law 21-216; 63 DCR 15713), expiring October 1, 2017.

⁷ H Street, N.E., Retail Priority Area Clarification Emergency Amendment Act of 2017, enacted February 27, 2017 (D.C. Act 22-17; 64 DCR 2363); H Street, N.E., Retail Priority Area Clarification Temporary Amendment Act of 2017, effective March 11, 2017 (D.C. Law 21-224; 64 DCR 2883), expiring October 22, 2017.

Neighborhood Commission; and identifies in what instances and how quickly DGS must provide notice to participating residents of this information.

Subtitle R. Archives Location Prohibition Act of 2017: prohibits the spending of any government funds to establish an archives or records center at Penn Center.

Subtitle S. Disposal of Abandoned and Deteriorated Property Amendment Act of 2017: requires Council approval of any real property dispositions authorized by the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000;⁸ and requires the Mayor to hold a public hearing with 30 days public notice prior to submitting a resolution to the Council.

Subtitle T. Historic Preservation of Derelict District Properties Amendment Act of 2017: restricts the Housing Production Trust Fund and the Housing Preservation Fund monies from supporting four specific houses in Historic Anacostia.

Subtitle U. Project-Based and Sponsor-Based Local Rent Supplement Funding Amendment Act of 2017: provides that beginning in Fiscal Year 2019 and thereafter, the District of Columbia Housing Authority subsidy shall include an additional \$1m for project-based and sponsor-based voucher assistance; directs the DCHA to issue in Fiscal Year 2018 a Notice of Funding Availability for the awarding of the additional funds for the project-based and sponsor-based voucher assistance.

Subtitle V. Rental Unit Fee Amendment Act of 2017: increases the annual rental unit fee that all rental housing providers must pay from \$21.50 to \$25; directs the revenue from the increase to the new Rental Unit Fee Fund, to be used to support the activities of the Office of the Tenant Advocate.

Subtitle W. DCRA Infraction Fine Increase Amendment Act of 2017: increases the fines for certain code infractions pertaining to housing and buildings that impact public health, safety, and welfare; and provides for the infractions to be adjusted annually according to the Consumer Price Index for All Urban Consumers in the Washington Metropolitan Statistical area.⁹

Subtitle X. Purchase Card Program Budgeting Act of 2017: creates a new paper agency to account for intra-District purchase card transactions.

Subtitle Y. Historic Portrait Archival Amendment Act of 2017: amends the District of Columbia Public Records Management Act to make the Council custodian of certain District property, including specific portraits and sculptures.

Subtitle Z. DCRB Fair Credit in Employment Amendment Act of 2017: exempts the District of Columbia Retirement Board from certain requirements of the Fair Credit in Employment Amendment Act.

⁸ Effective April 27, 2001(D.C. Law 13-281; D.C. Official Code § 42-3171.01 *et seq.*).

⁹ The subtitle substantially reflects Bill 21-291, the DCRA Infractions Fine Increase Regulation Amendment Act of 2016, which received a public hearing on July 14, 2016 and which the Subcommittee on Consumer Affairs moved to mark-up on November 16, 2016.

Subtitle AA. Washington Metropolitan Area Transit Authority Safety Regulation Amendment Act of 2017: provides authority to transfer federal grant and local funds to Metropolitan Washington Council of Governments to support the establishment of the Metro Safety Commission.

Subtitle BB. Interior Design Regulation Amendment Act of 2017: restores language inadvertently removed by amendment of Bill 21-279.¹⁰ The restored language authorizes interior designers licensed and registered in the District to approve certain non-structural alterations and designs.

TITLE III. PUBLIC SAFETY AND JUSTICE

Subtitle A. Department of Forensic Sciences Amendment Act of 2017: establishes a non-lapsing special fund at the Department of Forensic Sciences (DFS) to be used to fund DFS laboratories, including the funding of services, materials, non-grant funded research, equipment, laboratory staff, and trainings of staff; provides that federal BioWatch program funds and fees charged by the DFS shall be deposited in the fund; allows the DFS to charge fees for reasonable costs related to expert witness testimony provided by its employees except when the testimony is regarding services the DFS provided pursuant to section 7(a) or (b) of the Act or when the employee would be testifying as an expert in a criminal case in a District of Columbia court.

Subtitle B. Chief Medical Examiner Amendment Act of 2017: designates the Office of the Chief Medical Examiner as the lead District agency for mass fatality management and incident response; requires the Office to create a District mass fatality management response plan; and permits the agency to enter into, request, or provide assistance under mutual aid agreements under certain circumstances.

Subtitle C. Affordable Emergency Transportation and Pre-Hospital Medical Services Amendment Act of 2017: requires health insurers, hospitals, medical services corporations, and health maintenance organizations to reimburse the District for emergency ambulance and pre-hospital medical care services provided by Fire and Emergency Medical Services and its third party provider; creates a new special fund to capture new fees generated as a result of the subtitle to be used for the purpose of reform and improvement of the delivery of emergency medical services in the District.

Subtitle D. Neighborhood Engagement Achieves Results Amendment Act of 2017: amends and funds Title I, Subtitle A, and funds Subtitle C of the Neighborhood Engagement Achieves Results Amendment Act,¹¹ which establish the Office of Neighborhood Safety and Engagement (ONSE) and the Community Crime Prevention Team Program, respectively; transfers

¹⁰ Professional Engineers Licensure and Regulation Clarification Act of 2016, effective April 15, 2017 (D.C. Law 21-272; 64 DCR 946) omitted the necessary language, which has temporarily been restored by identical measures, the Interior Design Regulation Emergency Amendment Act of 2017, enacted March 27, 2017 (D.C. Act 22-32; 64 DCR 3087), expires on June 25, 2017; and the Interior Design Regulation Temporary Amendment Act of 2017, enacted April 24, 2017 (D.C. Act 22-53; 64 DCR 4025).

¹¹ Effective June 30, 2016 (D.C. Law 21-125; 63 DCR 10570).

the budgets and personnel from other agencies to ONSE; sets forth the responsibilities of ONSE; requires annual reporting on outcomes; provides ONSE with grant making authority and the Mayor with rulemaking authority; authorizes ONSE to provide grants to eligible community organizations out of the Neighborhood Safety and Engagement Fund.

Subtitle E. Access to Justice Initiative Amendment Act of 2017: amends the Access to Justice Initiative and Loan Repayment Assistance Program (LRAP) to reflect the correct administrator and allowable percentage of administrative costs; amends the LRAP definition of “eligible debt;” removes the lifetime funding cap for LRAP participants; and adds a new provision to LRAP to address parameters of voluntary withdrawal from eligible employment.

Subtitle F. Expanding Access to Justice Amendment Act of 2017: incorporates Bill 22-24, the “Expanding Access to Justice Act of 2017;”¹² authorizes the DC Bar Foundation to adopt policies and procedures, issue requests for proposals, and make grants to designated legal services providers as part of a new series of civil legal counsel in eviction projects; establishes a Civil Legal Counsel Projects Program to provide counsel to eligible individuals and groups in eviction proceedings; includes a number of provisions related to funding, administration, and reporting; defines eligible individuals or groups for purposes of this subtitle; and defines the type of proceedings to be covered by designated legal services providers.

Subtitle G. Office of Open Government Establishment Amendment Act of 2017: gives the Director of the Office of Open Government (OOG) the authority to prepare and submit the OOG’s annual budget to the Mayor, with approval of the Ethics Board.

Subtitle H. Office of the Attorney General Litigation Support Fund and Consumer Restitution Fund Amendment Act of 2017: raises the cap on the funds authorized to be deposited into the Litigation Support Fund from \$3 million to \$5 million; establishes a new Consumer Restitution Fund (Fund) into which revenue from awards of restitution and costs to consumers made under a court order, judgment, or settlement in any action or investigation will be deposited; authorizes the use of money from the Fund to be to paid affected consumers; allows the Office of the Chief Financial Officer to deduct any amount owed to the District from the restitution payment to the consumer; requires an annual audit of the Fund.

Subtitle H. Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative Amendment Act of 2017: Repeals Law 14-308, the legislative vehicle for the Treatment Instead of Jail for Certain Non-Violent Drug Offenders Initiative, which the D.C. Court of Appeals held invalid because it appropriated funds in violation of D.C. Official Code 1-204.101(a) and was impermissibly adopted through the initiative process.¹³

TITLE IV. PUBLIC EDUCATION

Subtitle A. Funding for Public Schools and Public Charter Schools Amendment Act of 2017: establishes the per-student funding formula for the 2017-2018 school year, including

¹² See, Bill 22-24, the “Expanding Access to Justice Act of 2017”, available at <http://lims.dccouncil.us/Download/37180/B22-0024-Introduction.pdf>. Bill 22-24 is a reintroduced version of Bill 21-879, the “Expanding Access to Justice Act of 2016,” which was the subject of an October 19, 2016 hearing.

¹³ *District of Columbia Bd. of Elections and Ethics v. District of Columbia*, 866 A.2d 788 (D.C. 2005).

weighting factors for per-student allocations; changes “Blackman-Jones Compliance” to “Special Education Compliance” to reflect the end of a long-standing lawsuit; and removes some duplicative language on at-risk weight.

Subtitle B. Child and Youth, Safety and Health Omnibus Amendment Act of 2017: brings the District into compliance with Section 658(e) of the federal Child Care and Development Block Grant Act of 2014, which requires that the District provide a process by which an applicant may appeal the results of a criminal background check. While the District already has such a process, the definition of a “covered child or youth services provider” needed amending for consistency and to capture all child development facilities in the District that provide direct services to children that affect the health, safety, and welfare of children. The subtitle makes permanent changes made through emergency and temporary bills passed in Council Period 21.¹⁴

Subtitle C. Child Development Facilities Regulation Fund Amendment Act of 2017: establishes a non-lapsing fund administered by the Office of the State Superintendent of Education to recover the costs of regulating child development facilities; provides that money in the fund shall be used to pay for enforcement and monitoring activities concerning the licensure of child development facilities, and administrative costs; and provides for fines and fees levied against child development entities to be deposited into the fund.

Subtitle D. Public Charter School Assets and Facilities Preservation Amendment Act of 2017: clarifies the process for the distribution of assets upon closure of a public charter school, with additional provisions for asset transfers where another charter school enrolls the closing school’s students.

Subtitle E. Academic Certification and Testing Fund Amendment Act of 2017: clarifies that the fund is lapsing.

Subtitle F. Postsecondary and Career Grant Making Authority Amendment Act of 2017: provides the Office of the State Superintendent of Education with authority to administer grant programs aimed at supporting District residents earning their secondary and postsecondary credentials to ensure successful transition to college and careers.

Subtitle G. Healthy Tots Amendment Act of 2017: adds an exemption to the District’s requirement that a child development facility enroll in the U.S. Department of Agriculture’s Child and Adult Care Food (CACF) Program; clarifies that facilities are required to enroll in the CACF Program only if 50% or more of the enrolled children are eligible for the CACF Program for at least six continuous months; makes permanent the Office of the State Superintendent of Education’s (OSSE) authority to grant a hardship exemption to a child development facility that is required to enroll in the CACF Program, so long as the facility provides OSSE with documentation that it is in compliance with the current CACF Program meal patterns.

¹⁴ Child and Youth, Safety and Health Omnibus Temporary Amendment Act of 2016, enacted October 12, 2016 (D.C. Act 21-503; 63 DCR 12940), expired January 10, 2017; Child and Youth, Safety and Health Omnibus Temporary Amendment Act of 2016, effective December 28, 2016 (D.C. Law 21-180; 64 DCR 737), expiring August 10, 2017.

Subtitle H. UDC Patricia R. Harris Facility Exclusive Use Amendment Act of 2017: grants the University of the District of Columbia (UDC) exclusive use of the Patricia R. Harris campus unless a lease agreement with a third party grants UDC space at the campus.

Subtitle I. DPR Adoption and Sponsorship Amendment Act of 2017: allows the Department of Parks and Recreation (DPR) to enter into written agreements with business improvement district corporations (BIDs) to authorize the BIDs to perform maintenance and operations of the park within the BID boundaries, and to enter into contracts with third parties to generate revenue to fund the maintenance and operations of the park. The subtitle also authorizes DPR to make grants to BIDs for maintenance and operations of a park.

Subtitle J. My School DC Transfer Amendment Act of 2017: allows for the legal transfer of all funding and staff associated with My School DC, the common lottery, from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

Subtitle K. Access to Quality Child Care Fund Establishment Act of 2017: establishes a non-lapsing special fund to be administered by the Office of the State Superintendent of Education (OSSE); provides that \$11 million in local appropriations will be deposited into the fund in fiscal year 2018; provides that money from the fund will be used for certain activities that expand access to childcare; authorizes OSSE to award a grant or contract to a single non-service provider, non-profit organization to provide competitive sub grants for specific purposes; incorporates implementation of the Child Care Study Act of 2017.¹⁵

Subtitle L. Enhanced Special Education Services Fund Amendment Act of 2017: clarifies that this is a special fund that shall not revert to the unrestricted fund balance of the General Fund at the end of a fiscal year or at any other time.

Subtitle M. Office of the State Superintendent of Education Early Literacy Grant Program Amendment Act of 2017: amends the State Education Office Establishment Act to make the Early Literacy Intervention Initiative a multi-year grant.

Subtitle N. Office of Out of School Time Grants and Youth Outcomes Amendment Act of 2017: allows the Office to grant funds to a third party to provide capacity building or technical assistance to out of school time service providers or the Commission on Out of School Time Grants and Youth Outcomes; and exempts summer program grants from the multi-year funding mandate.

Subtitle O. Office of the State Superintendent of Education Reporting Requirements Amendment Act of 2017: changes several reporting deadlines and repeals two others.

TITLE V. HEALTH AND HUMAN SERVICES

Subtitle A. TANF Child Benefit Protection Amendment Act of 2017: requires the Mayor issue rules to implement the provisions of the subtitle; repeals the provision mandating a reduction in benefits upon the receipt of TANF benefits for more than 60 months; provides that no

¹⁵ Passed on second reading on May 16, 2017 (Enrolled version of Bill 22-103).

sanction shall exceed a 12% reduction in the total TANF benefit; establishes a two-prong structure of the total TANF benefit, 80% designated to the child or children, 20% designated to the adult member(s); establishes a graduated sanction structure in the TANF benefit as designated to the adult member(s); repeals the graduated reduction in benefits structure as applied to TANF recipients who have received benefits for more than 60 months; authorizes the Mayor to alter the amount of public assistance, or withdraw it entirely, if it is found that the recipient has not timely completed the recertification process.

Subtitle B. CFSA Reporting Requirements Amendment Act of 2017: extends the deadline for Newborn Safe Haven, Grandparent Caregivers program, and the Youth Ombudsman/Foster Youth Statement of Rights reports

Subtitle C. Department of Healthcare Finance Grant-Making Amendment Act of 2017: authorizes the Department of Health Care Finance to administer three grant programs to do the following: (1) issue four \$50,000 grants to promote telehealth interventions by providers located in Ward 7 and 8, or to residents located in Wards 7 and 8; (2) issue two \$75,000 grants to facilitate the development and application of telehealth services to a homeless shelter or a public housing project to improve the health outcomes of the individuals residing in these locations; and (3) issue one \$250,000 grant to a college of pharmacy to help substance abuse providers utilize precision medicine to prescribe targeted medication to patients suffering from opioid abuse.

Subtitle D. Medical Assistance Program Amendment Act of 2017: states that review and approval by the Council of the Fiscal Year 2018 Budget and Financial Plan shall constitute required approval by the Council of amendment, modification, or waiver of the state plan required to continue a provider fee on District Medicaid hospitals for in-patient services, and to continue a supplemental plan to District Medicaid hospitals for outpatient services.

Subtitle E. Early Childhood and School-Based Behavioral Health Comprehensive Plan Amendment Act of 2017: requires the Mayor to submit a plan to the Council for the expansion of early childhood and school-based behavioral health programs and services; prohibits expansion of those services without a Council-approved comprehensive plan in place; requires the plan be submitted to Council for a 60-day passive review period.

Subtitle F. Medicaid Hospital Outpatient Rate Supplement Act of 2016: authorizes the District to continue, in fiscal year 2018, to charge a fee on each hospital's outpatient gross patient revenue, to be deposited in the non-lapsing Hospital Provider Fee Fund (Fund); authorizes the Fund to be used to make Medicaid outpatient hospital access payments and refunds and to pay for administrative expenses incurred by the Department of Health Care Finance in an amount not to exceed \$150,000 per year; includes a sunset date of September 30, 2018.

Subtitle G. Medicaid Hospital Inpatient Rate Supplemental Payment Act of 2016: authorizes the District to continue, in fiscal year 2018, to charge a fee on the inpatient net patient revenue of each hospital, to be deposited in the non-lapsing Hospital Fund, to be used to fund District Medicaid inpatient fee-for-service; includes a sunset date of September 30, 2018.

Subtitle H. East End Medical Center Act of 2017: states the Department of Health Care Finance, in coordination with the Deputy Mayor for Planning and Economic Development, shall

develop a plan to establish a high-quality full-service community hospital on the Saint Elizabeths East Campus.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Subtitle A. Product Stewardship Amendment Act of 2017: establishes a Product Stewardship Fund to be administered by the Department of Energy and Environment (DOEE) for the purpose of implementing two existing product stewardship programs; amends the electronic waste extended manufacturer responsibility law to exclude sales to the District or federal government and authorizes DOEE to exclude sales to large businesses by rulemaking.

Subtitle B. Solar for All Program Amendment Act of 2017: changes the Solar for All program goal from reducing at least 100,000 of the District's low-income households' electric bills by at least 50% by the year 2032 to providing solar energy financial benefits to at least 100,000 District low-income households in an amount equivalent to at least 50% of the District's average residential electric bill for calendar year 2016 by the year 2032.

Subtitle C. LIHEAP Heat and Eat Initiative Amendment Act of 2017: amends the existing initiative to issue the Heat and Eat Payment only to households that would realize a positive impact to their SNAP benefit, thereby aligning District policy with the intent of the federal program. No household would see a reduction to their SNAP benefit as a result of this statutory change.

Subtitle D. Air Quality Construction Permits Fund Amendment Act of 2017: establishes a special purpose fund under the Department of Energy and Environment (DOEE); directs fees and other revenue generated by the agency's implementation and enforcement of Air Pollution Control Act be deposited in the Fund and used to administer DOEE's air quality programs.

Subtitle E. Soil Erosion and Sediment Control Fund Amendment Act of 2017: establishes a special purpose fund under the Department of Energy and Environment (DOEE); directs fees and other revenue generated by the agency's review of construction plans for erosion and sediment control be deposited in the Fund and used to administer DOEE's soil erosion and sediment control plans.

Subtitle F. Stormwater Fees Fund Amendment Act of 2017: establishes the Stormwater Fees Fund as a special purpose fund under the Department of Energy and Environment. Fees and other revenue generated by the agency's review of construction and grading plans for stormwater management will be deposited in the Fund and used to administer DOEE's water quality protection programs.

Subtitle G. Wetland Fund Amendment Act of 2017: amends the fund to make it a non-lapsing special purpose fund under the Department of Energy and Environment; directs revenue generated by settlement agreements between the agency and persons or entities that dredge and fill in wetlands or underwater lands be deposited in the Fund and used by DOEE to restore, create, and enhance wetlands and waterways in the District.

Subtitle H. Private Sponsorship of DC Circulator and DC Streetcar Amendment Act of 2017: authorizes the District Department of Transportation to enter into agreements to allow the private sponsorship of vehicles, equipment, and facilities used in the DC Streetcar and DC Circulator programs, and the placement of a corporate logo, slogan, or other indicia of sponsorship on the vehicles, equipment, facilities, and related websites and social media; and requires a proposed private sponsorship agreement be submitted to the Council for a thirty-day review period.

Subtitle I. Competitive Grants Act of 2017: provides for competitive grants (1) for a theater organization in the District to upgrade its facilities, (2) to support the development of a pilot program to operate a non-profit grocery store and a community-owned grocery store in Ward 8, (3) to support the creation of an equitable food business incubator in Ward 8, (4) to conduct a study to analyze aircraft noise, (5) to improve federal park land in the District, and (6) to organize a community run or walk event series in each Ward.

Subtitle J. Crumb Rubber Artificial Turf Moratorium Act of 2017: prohibits the installation of synthetic turf fields made with recycled tire materials on District-owned or leased properties.

Subtitle K. Energy Assistance Trust Fund Fee Amendment Act of 2017: increases the fee assessed on sales of electricity and gas for the Energy Assistance Trust Fund that is used to fund the Low-Income Home Energy Assistance Program.

Subtitle L. Healthy Schools Act Amendment Act of 2017: amends the Healthy Schools Act of 2010 to authorize the Office of the State Superintendent of Education (“OSSE”) to issue grants through the Healthy Schools Fund using a competitive process or a formula grants process for high-need schools; enables schools to apply for grant money through the Healthy Schools Fund for nutrition education programming, kitchen equipment, and kitchen staff training.

Subtitle M. Tree Canopy Protection Amendment Act of 2017: amends the Tree Canopy Protection Amendment Act to allow removal of a heritage tree on residential property for which a District resident has a building permit application, which is subsequently approved, for a single-family home that contemplates removal of the heritage tree pending as of October 1, 2016.

Subtitle N. Lead Exposure from Drinking Water in Child Development Facilities Prevention Amendment Act of 2017: requires child development centers to install lead filters on all drinking water sources, and clearly label non-drinking waters; requires notification regarding results beyond a designated level; requires the Department of Energy and Environment to provide child development facilities with a list of approved lead-abatement contractors and to compensate the contractor of the child development facility for the reasonable costs associated with complying with lead exposure abatement requirements.

TITLE VII. FINANCE AND REVENUE

Subtitle A. Subject to Appropriations Amendment Act of 2017: repeals or amends the subject-to-funding provisions for the following 36 measures to reflect that they are now funded or

will be fully or partially funded in the budget and financial plan pursuant to the Fiscal Year 2018 Budget Request Act of 2017:¹⁶

- Law 17-352, the Bicycle Safety Enhancement Amendment Act of 2008
- Law 18-239, the Prohibition Against Human Trafficking Amendment Act of 2010
- Law 18-344, the Rhode Island Avenue Metro Plaza Revenue Bonds Amendment Act of 2010
- Law 19-94, the Health Benefit Exchange Authority Establishment Act of 2011
- Law 19-182, the Residential Parking Protection Act of 2012
- Law 19-311, the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2011
- Law 20-76, the Parent and Student Empowerment Amendment Act of 2013
- Law 20-207, the Public Space Enforcement Act of 2015
- Law 20-233, the Soccer Stadium Development Amendment Act of 2014
- Law 21-72, the Health-Care Decisions Amendment Act of 2015
- Law 21-108, the Carcinogenic Flame Retardant Prohibition Amendment Act of 2016
- Law 21-120, the Youth Suicide Prevention and School Climate Survey Amendment Act of 2016
- Law 21-125, the Neighborhood Engagement Achieves Results Amendment Act of 2017
- Law 21-155, the Bicycle and Pedestrian Safety Amendment Act of 2016
- Law 21-157, the Building Service Employees Minimum Work Week Act of 2016
- Law 21-158, the Procurement Integrity, Transparency, and Accountability Amendment Act of 2016
- Law 21-182, the Death with Dignity Act of 2016
- Law 21-202, the Charitable Solicitations Relief Amendment Act of 2016
- Law 21-204, the Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016
- Law 21-208, the Automatic Voter Registration Amendment Act of 2016
- Law 21-209, the Medical Marijuana Omnibus Amendment Act of 2016
- Law 21-211, the Relocation Expenses Recoupment and Lien Authority Amendment Act of 2016
- Law 21-213, the Department of Consumer and Regulatory Affairs Community Partnership Amendment Act of 2016
- Law 21-219, the Planning Actively for Comprehensive Education Facilities Amendment Act of 2016
- Law 21-238, the Comprehensive Youth Justice Amendment Act of 2016
- Law 21-240, the Council Financial Disclosure Amendment Act of 2016
- Law 21-252, the State Board of Education Omnibus Amendment Act of 2016
- Law 21-250, the Metro Safety Commission Interstate Compact Establishment Act of 2016
- Law 21-256, the Fair Credit in Employment Amendment Act of 2016

¹⁶ The Fiscal Year 2018 budget and financial plan also funds, the Ballpark Fee Clarification Act of 2010, effective March 31, 2011 (D.C. Law 18-341; 58 DCR 624); the subject to funding note in the codification notes will be updated to reflect this funding.

- Law 21-259, the Fair Criminal Record Screening for Housing Act of 2016
- Law 21-261, the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016
- Law 21-263, the District of Columbia State Athletics Consolidation Act of 2016
- Law 21-268, the First-time Homebuyer Tax Benefit Amendment Act of 2016
- Law 21-269, the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016
- Law 21-274, the Continuing Care Retirement Community Exemption Amendment Act of 2016
- Bill 22-103, the Child Care Study Act of 2017, passed on second reading May 16, 2017

Subtitle B. Council Period 22 Rule 736 Repeals: repeals the following 19 laws, or provisions thereof, that were passed subject to appropriation and remain unfunded for two fiscal years, pursuant to Council Period rule 736:

- Law 17-66, the Housing Support for Teachers Act of 2007
- Law 17-88, the Heurich House Foundation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2007
- Law 17-112, the Multi-Unit Real Estate Tax Rate Clarification Act of 2007
- Law 17-146, the Evictions with Dignity Amendment Act of 2008
- Law 17-356, the Paramedic and Emergency Medical Technician Transition Amendment Act of 2008
- Law 17-365, the Housing Production Trust Fund Stabilization Amendment Act of 2008
- Law 18-188, the OTO Hotel at Constitution Square Economic Development Act of 2010
- Law 18-236, the Shirley's Place Equitable Real Property Tax Relief Act of 2010
- Law 18-292, the Thirteenth Street Church of Christ Real Property Tax Relief and Exemption Act of 2010
- Law 18-324, the Processing Sales Tax Clarification Act of 2010, effective March 12, 2011
- Law 18-342, the Perry Street Affordable Housing Tax Exemption Extension Act of 2010
- Law 19-256, the Public Library Hours Expansion Act of 2012
- Law 19-257, the Howard Town Center Real Property Tax Abatement Act of 2012
- Law 19-294, the Construction and Demolition Waste Recycling Accountability Act of 2012
- Law 20-86, the Historic Music Cultural Institutions Expansion Tax Abatement Act of 2013
- Law 20-107, the D.C. Promise Establishment Act of 2013
- Law 20-121, the Breastmilk Bank and Lactation Support Act of 2014
- Law 20-209, the SeVerna, LLC, Real Property Tax Exemption and Real Property Tax Relief Amendment Act of 2014
- Law 21-145, the New Bethany Baptist Church Real Property Tax Exemption Act of 2015

Subtitle C. Prior Budget Act Amendments of 2017: eliminates the sunset provision on the Kids Ride Free program, and changes the reporting requirements to the Council on the programs and operations of the Office of Aging from quarterly to twice per year.

Subtitle D. Our Lady of Perpetual Help Equitable Real Property Tax Relief Act of 2017: forgives outstanding past due property taxes from Our Lady of Perpetual Help Catholic Church for land adjacent to the church, which consists of church grounds that have been exempted prospectively, attributable to periods prior to the February 2017 effective date of the exemption.

Subtitle E. International Spy Museum Tax Abatement Act of 2017: partially abates property taxes owed on the property, so long as the organization is developing or operating the Museum on that site.

Subtitle F. Revised Revenue Contingency List Act of 2017: directs all new revenue identified in the June 2017 and September 2017 revenue estimates to be divided equally between (1) the Workforce Investments account to fund costs related to collective bargaining agreements that will become effective in Fiscal Year 2018, and (2) the Capital Improvements Program (CIP), to offset general merchandise sales tax that in turn will be dedicated to WMATA, in specified increments.

Subtitle G. Supermarket Tax Incentive Clarification Act of 2017: amends the Food, Environmental, and Economic Development in the District of Columbia Amendment Act of 2016 to strike census tract 16.

Subtitle H. Adult Learner Transit Subsidy Amendment Act of 2017: creates a new transit subsidy for students of adult learning programs; specifies that an eligible student shall be over 18 years old, a District resident, and enrolled in a program operated by or funded by a local education agency, the DC Public Library, the Office of the State Superintendent for Education, or UDC's Workforce Development and Lifelong Learning Program; limits the total annual appropriation to \$1.988 million.

Subtitle I. Commission on the Arts and Humanities Grants Act of 2017: provides that in fiscal year 2018, the Commission on Arts and Humanities shall award, on a competitive basis, grants to (1) provide support to a non-profit, tax exempt organization dedicated to preserving African-American cemeteries and burial grounds located in Georgetown; (2) provide orchestral performances with supporting community engagement events; (3) provide support to infrastructure improvements concerning the National Mall and its grounds; (4) assist with capital improvements at a theater in the Central Business District that offers Broadway-style musicals; (5) provide a literary-enrichments program for schools.

Subtitle J. First-Time Homebuyer Recordation Tax Benefit Amendment Act of 2017: makes several technical corrections to Law 21-268, the "First – Time Homebuyer Tax Benefit Amendment Act of 2016," which would establish a recordation tax rate of 0.725% for eligible first-time District homebuyers, who are defined in the legislation to mean an individual who has never before owned as a principal residence eligible property and includes an individual who is divorced or separated and did not obtain an ownership interest in a principal residence that had

been jointly owned; amends the definition of “eligible property” to place a purchase price limit of \$625,000, adjusted annually for inflation.

Subtitle K. Parking Sales Tax Clarification Amendment Act of 2017: removes the phrase that allows for the parking sales tax rate to increase to 22% as of October 1, 2017. The Fiscal Year 2016 Budget Support Act of 2015 established a contingency whereby the rate of 22% was not intended to apply if terms of the contingency were met; those terms were met, requiring this amendment to preserve the parking tax rate at 18%.

Subtitle L. Public Space Rental Forgiveness Act of 2017: forgives all public space rental fees levied against public space at 801 13th Street, NW (Lot 812, Square 287) that covers the period between July 1, 2016 and June 30, 2017 and provides for a refund, if necessary.

Subtitle M. Tax Reform Amendment Act of 2017: amends Title 47 of the District of Columbia Code to make conforming changes to the tax system changes made as part of the tax reform package pursuant to D.C. Official Code § 47-181.

Subtitle N. Real Property Tax Appeals Amendment Act of 2017: allows the Real Property Tax Appeals Commission (RPTAC) to treat residential apartment complexes of five units or more as commercial properties for the purposes of 2nd level review of an appeal of proposed real property tax assessment;¹⁷ allows RPTAC 80 days after hearing completion to render decisions; clarifies appeal procedures with respect to omitted assessments, corrected assessments, homestead audits and senior/disabled audits; provides the timeframe that appeals of a RPTAC decision on one of these notices to Superior Court can be taken; repeals section 47-3305(c), which provides for a direct appeal to Superior Court within 6 months of an omitted assessment notice, which has been supplanted by a process incorporating administrative review prior to filing in Superior Court.

Subtitle O. Hill East Community Garden Real Property Tax Relief Amendment Act of 2017: transfers ownership of tax-exempt Square 1100 Lot 0109 from the Capitol Hill Community Garden Land Trust (CHCG) to the Hill East Community Garden (HECG); and exempts the transaction from deed transfer and recordation fees and taxes.

Subtitle P. Tax Increment Financing Authorization Act of 2017: removes restriction stating that all Tax Increment Financing (TIF) bonds must have been issued prior to January 1, 2014 and removes limitations on the aggregate amounts of TIF bonds; removes the requirement that a development sponsor may only be eligible for TIF projects located within a priority development area. These changes are necessary to reauthorize the expired authority.

Subtitle Q. Urban Farming and Food Security Amendment Act of 2017: clarifies how the Office of Tax and Revenue shall calculate the tax abatement for a private property that has an urban farm on or in an improvement to a property not exclusively used for urban farms.

¹⁷ Real Property Tax Appeals Commission Review Clarification Emergency Amendment Act of 2016, enacted October 6, 2016 (D.C. Act 21-498; 63 DCR 12611), expired January 4, 2017; Real Property Tax Appeals Commission Review Clarification Temporary Amendment Act of 2016, effective December 17, 2016 (D.C. Law 21-176; 64 DCR 3), expiring July 30, 2017.

Subtitle R. Washington Convention Authority Board of Directors Clarification Amendment Act of 2017: realigns all members' terms to be four year terms that begin and end in May.

Subtitle S. Possessory Interest Clarification Amendment Act of 2017: makes conforming changes to sections of the code that currently exempt public charter schools and nonprofit affordable housing developments from real property taxes to also be exempt from possessory interest tax.

Subtitle T. Hospitality Tax Dedication Amendment Act of 2017: imposes a tax on vendors at the rate of 0.30% of the gross receipts from the sale of or charges for any room or rooms at any hotel, inn, tourist camp, tourist cabin, or any other place in which accommodations are regularly furnished to transients; dedicates this tax to the Washington Convention and Sports Authority for transfer to Destinations DC for the purposes of marketing and promoting the District of Columbia as a destination.

Subtitle U. University of the District of Columbia Fundraising Match Act of 2017: Provides a \$1 local funds match for every \$2 raised in private funds by UDC with at least 1/3 of the match dedicated to UDC's endowment.

Subtitle V. Fixed Cost Commodity Reserve Amendment Act of 2017: repeals the Commodities Cost Reserve Fund.

Subtitle W. Recorder of Deeds Automation Fund Clarification Amendment Act of 2017: amends the fund language to remove references to the former Recorder of Deeds property address and "infrastructure improvement", and makes conforming amendments.

Subtitle X. Events DC Grants Act of 2017: directs the Washington Sports and Entertainment Authority to provide a grant to a nonprofit organization providing educational, academic, tennis, physical fitness and wellness instruction; and fund a convention centered on Title IX that includes a sports tournament for young women.

Subtitle Y. Women's National Democratic Club Real Property Tax Exemption Act of 2017: exempts the real property at 1526 New Hampshire Avenue, N.W. from property tax so long as it is owned by the Women's National Democratic Club.

TITLE VIII. CAPITAL BUDGET

Subtitle A. Fiscal Year 2018 Capital Project Reallocation Approval Act of 2017: authorizes the reallocation of \$62,442,212 in general obligation/income-tax secured bond proceeds among existing capital projects to maximize the use of borrowed debt and reduce the District's borrowing costs.

Subtitle B. Capital Project Review and Reconciliation Amendment Act of 2017: allows the Chief Financial Officer (CFO) to transfer unexpended balance in capital projects for which no

funds have been expended, encumbered, or pre-encumbered for two consecutive years; establishes notice requirements; provides process by which agencies may retain such funds.

Subtitle C. Anti-Deficiency Act Clarification Amendment Act of 2017: clarifies that for capital funding, the Board of Review of Anti-Deficiency Violations (BRADV) has the authority to review at the project level for potential violations; clarifies that for capital projects, overspending by 5 percent of the project's budget or overspending of \$1 million or more (regardless of percentage) would trigger anti-deficiency review; requires that by October 20 of each year, each agency head and agency fiscal officer shall jointly submit to the Chief Financial Officer a monthly spending plan for each capital project based on the budget enacted; specifies information required for quarterly reports submitted to the Council.

Subtitle D. Master Local Transportation Capital Projects Clarification Amendment Act of 2017: clarifies that for master local capital transportation projects created in fiscal year 2018 or thereafter, the District Department of Transportation (DDOT) shall submit requests to the Office of Budget and Policy (OBP) to allocate funds for related projects before obligating and spending funds; requires DDOT to submit requests OBP to re-allocate any available fund balances in associated projects created before fiscal year 2018, to the applicable Master local transportation capital project created in fiscal year 2018 or thereafter; requires the Chief Financial Officer to submit to the Mayor and the Council a quarterly summary of all allocations and re-allocations requested pursuant to this subtitle, including a description of whether OBP allocated the requested funds.

Subtitle E. Reverse Paygo Reprogramming Clarification Amendment Act of 2017: exempts from Council approval reverse Paygo actions done for the purpose of paying non-capital eligible expenses for the same capital project for which the Paygo capital funds have been authorized; requires written notification of those actions; and clarifies that all other reverse Paygo actions shall require Council approval.

Subtitle F. Capital Infrastructure Preservation and Improvement Amendment Act of 2017: requires annual increases in the amount of local funds transferred to the Capital Improvement Program (CIP) after fiscal year 2020 until the minimum amount of operating funds transferred to the CIP equals or exceeds the amount reported for total accumulated depreciation of capital assets in the most recent comprehensive annual financial report.

Subtitle G. Local Transportation Revenue Amendment Act of 2017: clarifies that revenue derived from public rights-of-way user fees, charges, and penalties shall be directed to the Highway Trust Fund as needed to meet local match requirements, or, if not needed for that purpose, to the CIP for the renovation, repair, and maintenance of local transportation infrastructure not eligible for federal aid.

Subtitle H. Fiscal Year 2018 Capital Project Reallocation Approval Act of 2017: rescinds approximately \$51 million from existing allotments in the Capital Improvements Plan for the purpose of balancing the capital portion of the FY 2018 Budget and Financial Plan.

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

Subtitle A. Designated Fund Transfer Act of 2017: directs the transfer or fund balance or revenue from certain special funds in Fiscal Year 2017, to be recognized as local funds revenue in the Fiscal Year 2018 Budget and Financial Plan.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE: sets forth the applicability provision, fiscal impact, and effective date of the act.


IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 22-244 as introduced.
2. Mayor's errata letter.
3. Fiscal impact statement for Bill 22-244.
4. Legal sufficiency determination.
5. Committee print of Bill 22-244.

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: April 10, 2017
Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, April 4, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2018 Budget Support Act of 2017", B22-244

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation to the Committee of the Whole with comments from standing committees on specific subtitles as indicated below:

COMMITTEE LEGEND

BED	BUSINESS AND ECONOMIC DEVELOPMENT
COW	COMMITTEE OF THE WHOLE
E	EDUCATION
FR	FINANCE AND REVENUE
GO	GOVERNMENT OPERATIONS
H	HEALTH
HCD	HOUSING AND NEIGHBORHOOD REVITALIZATION
HS	HUMAN SERVICES
JPS	JUDICIARY AND PUBLIC SAFETY
LWD	LABOR AND WORKFORCE DEVELOPMENT
TE	TRANSPORTATION AND THE ENVIRONMENT

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY	GO, JPS
SUBTITLE B. OFFICE OF THE INSPECTOR GENERAL OPERATIONAL PROJECTS FUND ESTABLISHMENT	GO
SUBTITLE C. COMPENSATION FOR UNJUST IMPRISONMENT AMENDMENT	JPS, LWD
SUBTITLE D. D.C. ACCESS SYSTEM AMENDMENT	GO, H
SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS	GO, BED
SUBTITLE F. CLASSIFICATION AMENDMENT.....	LWD
SUBTITLE G. DEFERRED COMPENSATION PROGRAM ENROLLMENT.....	LWD
SUBTITLE H. EXECUTIVE SERVICE PAY SCHEDULE CONFORMITY ACT	LWD

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

SUBTITLE A. HISTORIC ONLY PERMIT FEE AMENDMENT	COW
SUBTITLE B. GOVERNMENT EMPLOYER-ASSISTED HOUSING PROGRAM AMENDMENT	HNR
SUBTITLE C. HOUSING PRODUCTION TRUST FUND AMENDMENT	HNR
SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT	HNR
SUBTITLE E. ST. ELIZABETHS EAST CAMPUS REDEVELOPMENT FUND	BED
SUBTITLE F. DMPED LIMITED GRANT-MAKING AUTHORITY	BED, COW
SUBTITLE G. LAND DISPOSITION TRANSPARENCY AMENDMENT	BED, TE
SUBTITLE H. MARION S. BARRY SUMMER YOUTH EMPLOYMENT PROGRAM AMENDMENT	LWD
SUBTITLE I. BUSINESS LICENSE TECHNOLOGY FEE REAUTHORIZATION AMENDMENT	COW

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. DEPARTMENT OF FORENSIC SCIENCES LABORATORY FUND

ESTABLISHMENTJPS

SUBTITLE B. DFS LABORATORY TESTING AND EXPERT WITNESS FEES

ESTABLISHMENTJPS, TE

SUBTITLE C. CHIEF MEDICAL EXAMINER AMENDMENT.....JPS

SUBTITLE D. AFFORDABLE EMERGENCY TRANSPORTATION AND PRE-HOSPITAL

MEDICAL SERVICES AMENDMENT.....JPS

SUBTITLE E. EMERGENCY AND NON-EMERGENCY NUMBER TELEPHONE CALLING

SYSTEMS AMENDMENTJPS, FR

SUBTITLE F. RETIRED POLICE OFFICER REDEPLOYMENT AMENDMENT.....JPS

SUBTITLE G. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS AMENDMENT

.....JPS, H, TE

TITLE IV. PUBLIC EDUCATION

SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND

PUBLIC CHARTER SCHOOLS AMENDMENT E

SUBTITLE B. CHILD AND YOUTH, SAFETY AND HEALTH OMNIBUS AMENDMENT

.....JPS, HS

SUBTITLE C. CHILD DEVELOPMENT FACILITIES REGULATION FUND..... E

SUBTITLE D. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND

PUBLIC CHARTER SCHOOLS TECHNICAL CLARIFICATION..... E

SUBTITLE E. PUBLIC CHARTER SCHOOL ASSETS AND FACILITIES PRESERVATION

..... E

SUBTITLE F. ACADEMIC CERTIFICATION AND TESTING FUND CLARIFICATION

..... E

SUBTITLE G. POSTSECONDARY AND CAREER GRANT MAKING..... E

SUBTITLE H. HEALTHY TOTS ACT WAIVERE, TE

SUBTITLE I. AT-RISK DEFINITION CLARIFICATION..... E

SUBTITLE J. VERIFICATION OF ENROLLMENT PROCEDURES..... E

SUBTITLE K. UDC PATRICIA R. HARRIS FACILITY EXCLUSIVE USE REPEAL	COW
SUBTITLE L. DPR PARKS ADOPTION AND SPONSORSHIP AMENDMENT	TE, BED

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT	HS
SUBTITLE B. DEPARTMENT OF BEHAVIORAL HEALTH IMPROVEMENT AMENDMENT	H, GO
SUBTITLE C. MEDICAL ASSISTANCE PROGRAM RELIEF AMENDMENT	H
SUBTITLE D. DHCF ESTABLISHMENT AMENDMENT	H
SUBTITLE E. ANIMAL CONTROL AMENDMENT	H
SUBTITLE F. MEDICAL MARIJUANA PROGRAM FUND ESTABLISHMENT	H
SUBTITLE G. CFSA REPORTING REQUIREMENTS AMENDMENT	HS

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

SUBTITLE A. PRODUCT STEWARDSHIP PROGRAM	TE
SUBTITLE B. SOLAR FOR ALL PROGRAM EXPANSION	TE
SUBTITLE C. LIHEAP HEAT AND EAT PROGRAM	TE, HS
SUBTITLE D. AIR QUALITY CONSTRUCTION PERMIT FUND	TE
SUBTITLE E. SOIL EROSION AND SEDIMENT CONTROL FUND	TE
SUBTITLE F. STORMWATER MANAGEMENT PROGRAM FUND	TE
SUBTITLE G. WETLAND FUND	TE
SUBTITLE H. PRIVATE SPONSORSHIP OF DC CIRCULATOR AND STREETCAR AMENDMENT	TE
SUBTITLE I. DMV AUTOMATED TRAFFIC ENFORCEMENT SYSTEM FUND ESTABLISHMENT	TE
SUBTITLE J. MOVING VIOLATION ENFORCEMENT FUND ESTABLISHMENT	TE
SUBTITLE K. PARKING, STANDING, STOPPING AND PEDESTRIAN VIOLATION ENFORCEMENT FUND ESTABLISHMENT	TE

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS	COW
SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS	COW
SUBTITLE C. OUR LADY OF PERPETUAL HELP REAL PROPERTY TAX FORGIVENESS	FR
SUBTITLE D. INTERNATIONAL SPY MUSEUM TAX ABATEMENT	FR
SUBTITLE E. REVISED REVENUE CONTINGENCY LIST	COW
SUBTITLE F. SUPERMARKET TAX INCENTIVES CLARIFICATION	FR

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. FY 2018 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL.....	COW
SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION AMENDMENT	COW
SUBTITLE C. ANTI-DEFICIENCY AMENDMENT FOR CAPITAL PROJECTS	COW
SUBTITLE D. DDOT DIRECTOR LOCAL STREETS PROJECTS CLARIFICATION	TE
SUBTITLE E. DC HIGHWAY TRUST FUND CLARIFICATION	TE
SUBTITLE F. REVERSE PAYGO REPROGRAMMING CLARIFICATION	COW

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

SUBTITLE A. DESIGNATED FUND TRANSFERS	COW
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Attachment

cc: General Counsel
Budget Director
Legislative Services



2017 APR -4 PM 5:33

OFFICE OF THE
SECRETARY

MURIEL BOWSER
MAYOR

April 4, 2017

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the District of Columbia Fiscal Year 2018 Budget and Financial Plan, "DC Values in Action." Included in the submission, you will find the "Fiscal Year 2018 Local Budget Act of 2017," the "Fiscal Year 2018 Federal Portion Budget Request Act of 2017," the "Fiscal Year 2018 Budget Support Act of 2017," the "Fiscal Year 2017 Revised Budget Request Emergency Adjustment Act of 2017," the "Fiscal Year 2017 Revised Budget Request Temporary Adjustment Act of 2017," and the "Fiscal Year 2017 Revised Budget Request Adjustment Emergency Declaration Resolution of 2017."

This proposal is the District of Columbia's twenty-second consecutive balanced budget. It invests in residents ensuring they have a *roadmap to inclusive prosperity*. For the third year, I heard from residents before I finalized my budget: through a series of budget engagement forums, residents shared their ideas and concerns about education, public safety, affordable housing, jobs and economic development, and health and human services. From these discussions I finalized the FY 2018 Budget and Financial Plan.

The budget before you reflects the ideas and priorities of District residents and delivers on the commitment of a *roadmap to inclusive prosperity*. From again investing \$100 million in the Housing Production Trust Fund to allocating over \$1 billion in full-scale school modernizations, this budget continues to move the District of Columbia forward. This budget also maintains critical investments to build a safer, stronger DC and to ensure our residents have access to job training programs that keep them on the pathway to the middle class. Below, I have highlighted a few of the key investments proposed in the FY 2018 Budget and Financial Plan.

High-Quality Education

Rising enrollment in our traditional public and public charter schools, and increasing student achievement, demonstrate that school reform in the District is working. The FY 2018 budget makes the largest investment in public education in the history of the District of Columbia:

- Committing an additional \$105 million to increase the per student rate and meet the needs of a growing student body;
- Increasing charter school facilities by 2.2% to \$3,193/student for non-residential charter programs and \$8,580/student for residential charter schools;
- Improving technology to help parents navigate and engage in public education, specifically the parent portal for DCPS; extending MySchoolDC for mid-year entries and transfers; and, launching a new MyChildCareDC site;
- Increasing University of the District of Columbia (UDC) and the Community College of the District of Columbia funds for the staff and programs by \$5.7 million;
- Expanding and improving Child Care by \$15 million. Potential sites include UDC's Flagship Campus (4200 Connecticut Ave NW), UDC's Community College Campus (5171 S. Dakota Ave NE), UDC's Community College Campus Headquarters (801 North Capitol St NE), and the Deanwood Recreation Center (1350 49th St NE);
- Transferring \$4.9 million of former DC Children and Youth Investment Trust Corporation (CYITC) funds to the Office of the Deputy Mayor for Education (DME) for out-of-school-time programming; and,
- Investing \$1.3 billion for school modernization over 6 years to ensure that schools in line for modernization under established, defined criteria are budgeted for necessary improvements.

Safer, Stronger DC

The District is committed to ensuring that those in all neighborhoods feel—and are—safe, providing an environment in which residents and businesses can thrive. To that end, the FY 2018 budget includes the following investments:

- \$11.7 million in enhancements focused on recruiting and retaining MPD officers, as well as ensuring that as many officers as can be are returned to patrol-related duties. This will be accomplished through: a new public relations campaign; expansion of the police cadet program; expanded housing assistance and student loan forgiveness for officers; and further civilianization of administrative positions;
- \$2.3 million for the creation of a *Returning Citizens Portal* to be managed by the Department of Corrections. This will be a physical office offering services from various agencies to help returning citizens successfully transition back into the community. Vital post-release services include: housing, employment, education, health care, job training and placement, and substance use/mental health;
- \$1 million for the establishment of a nurse triage collaborative pilot program between Fire and Emergency Medical Services (FEMS) and the Office of Unified Communications (OUC) with a goal to improve access to medical services for callers into

911 by offering nurses who can speak to non-emergency callers and help them make an appointment at a same-day clinic;

- \$20 million for essential upgrades to 311/911 hardware and software, including major upgrades to our secondary facility on McMillan Drive NW;
- \$42.2 million for the purchase of new MPD fleet vehicles; and,
- \$87.7 million for the purchase of new FEMS fleet vehicles, and \$45 million for the construction of a new fleet maintenance facility.

Affordable Housing

My Administration is committed to producing, preserving and protecting affordable housing in the District of Columbia. This is demonstrated in this budget through the commitment of another \$100 million contribution to the Housing Production Trust Fund. This investment will continue our shared goal to support grants and loans, thus yielding more affordable housing for DC families.

Additionally, this budget provides additional funds for the below projects' affordable housing components:

- \$14 million for the redevelopment of Walter Reed;
- \$103 million for the redevelopment of St. Elizabeths; and,
- \$85 million for the New Communities initiative.

Pathways to the Middle Class

Maintaining a strong, diverse, and resilient District of Columbia requires that every resident has a fair shot, and a pathway to the middle class. We accomplish this by supporting our most vulnerable families and residents; providing job training that leads to real employment opportunities; and by nurturing our small businesses to ensure their growth and success. Some ways the FY 2018 Budget provides Pathways to the Middle Class are:

- Continuing the District's investment in our youth through the Mayor Marion Barry Summer Youth Employment Program by budgeting more than \$20 million;
- Serving as a regional leader by again fully funding the District's share of the WMATA budget, adding a new express bus line on 14th Street NW in Wards 1 and 4, and expanding capacity of existing bus service in Wards 7 and 8;
- Ensuring that the Department of Small and Local Business Development's Certified Business Enterprise system continues to help our local businesses grow and obtain government contracts, and work on government funded projects by fully funding the program with \$0.9 million;
- Funding \$16.8 million towards the Washington D.C. Infrastructure Academy at Saint Elizabeths East Campus. This new facility will focus on occupational skills training and work-based learning initiatives related to the infrastructure industry, including utility, energy efficiency, transportation, and logistics sectors. At the Academy, industry partners, training providers such as UDC, labor unions and trade associations, will offer a

diverse skills training allowing District residents the tools to begin and sustain careers in the infrastructure industry;

- Implementing recommendations from the Housing Preservation Strikeforce through \$10 million in funding; and,
- Advancing DDOT's Vision Zero goals through \$4.5 million for (45) new Traffic Control Operators along with (26) new School Crossing Guards.

Health and Human Services

Investing in the health and well-being of District residents remains a priority of my Administration. Ensuring residents are able to provide for their families, and connecting these families with valuable care and supportive programs when they need it most, ensures they have a fair shot at success in the future. The FY 2018 budget includes:

- Funding the next phase of the Homeward DC plan with \$15.2 million, including \$6.3 million for the Housing Authority;
- Funding \$8.1 million for a new Temporary Assistance for Needy Families (TANF) policy that will help the District's neediest families;
- Supplementing the Department of Health's budget with \$0.9 million to reduce the number of active opioid users in the District, reduce overdoses and overdose fatalities, and improve health and economic outcomes for District residents with a history of substance use;
- Funding the Alternatives to Court Experience (ACE) and Parent and Adolescent Support Services (PASS) programs with \$3.3 million; and,
- Providing \$1 million for the Joyful Foods initiative.

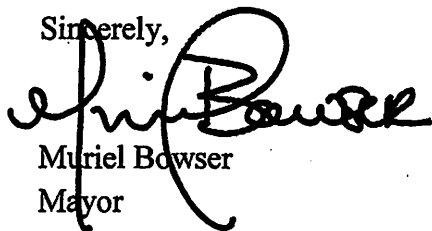
Government Operations

Building a government that works for the residents of the District Columbia streamlines processes and improves efficiency. The FY 2018 budget supports these improvements by:

- Ensuring that the District's share of WMATA's operating and capital subsidies are fully funded;
- Right-sizing the District's snow budget with a \$3.8 million budget increase;
- Expanding the Department of Public Works' rush-hour towing, grounds maintenance, and leaf collection efforts by \$3.2 million; and,
- Allocating \$1.5 million to the Office of the Chief Technology Officer for a District Continuity of Operations and Disaster Recovery Task Force which will evaluate District-wide critical applications to prepare and test Disaster Recovery Plans.

In a city as prosperous as ours, we can and should make all of these critical investments to ensure that residents in all 8 wards can share in **inclusive prosperity**.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is stylized with a large, looping "M" and a long, sweeping underline that extends to the right.

Muriel Bowser

Mayor


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To enact and amend provisions of law necessary to support the Fiscal Year 2018 budget.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
act may be cited as the “Fiscal Year 2018 Budget Support Act of 2017”.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY

Sec. 1001. Short title.

This subtitle may be cited as the “Use of Official Vehicles During an Emergency
Amendment Act of 2017”.

Sec. 1002. Section 3602(e) of the Restrictions on the Use of Official Vehicles Act of
2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(e)), is
amended to read as follows:

“(e)(1) Notwithstanding any other provision of this section, during an emergency
declared pursuant to section 5 of the District of Columbia Public Emergency Act of 1980,
effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304), or due to unusual
circumstances that present a threat to the health, safety, or welfare of the public or property

1 (referred to collectively in this subsection as “emergency circumstances”) the Mayor may
2 authorize an officer or employee of the District of Columbia government to use an official
3 vehicle for travel between the officer’s or employee’s residence and workplace when the use of
4 an official vehicle is necessary for that officer or employee to assist the District in responding to
5 the emergency circumstances.

6 “(2) Authorization provided pursuant to this subsection shall expire concurrent with the
7 end of the emergency circumstances, provided that if an employee who has taken a vehicle home
8 pursuant to this subsection is not on duty when the emergency circumstances end, when the
9 employee next returns to work, he or she may take the vehicle from his or her residence to his or
10 her work location or any other location specified by the agency that provided the vehicle.

11 “(3) No later than 30 days after the end of the emergency circumstances, the Mayor shall
12 submit to the Council a report listing the following information for each officer or employee
13 whom the Mayor authorized to use an official vehicle pursuant to this subsection:

14 “(A) The officer or employee’s name;

15 “(B) The officer or employee’s title and agency;

16 “(C) The length of time for which the officer or employee used an official vehicle;

17 and

18 “(D) A detailed justification of the necessity for the officer or employee to have
19 access to and use an official vehicle.”.

20 **SUBTITLE B. OFFICE OF THE INSPECTOR GENERAL OPERATIONAL**
21 **PROJECTS FUND ESTABLISHMENT**

22 Sec. 1011. Short title.

1 This subtitle may be cited as the “Office of the Inspector General Operational Projects
2 Fund Establishment Act of 2017”.

3 Sec. 1012. (a) There is established as a special fund the Office of the Inspector General
4 Operational Projects Fund (OIG Support Fund), which shall be administered by the Office of the
5 Inspector General. All funds deposited into the OIG Support Fund shall not revert to the
6 unrestricted fund balance of the General Fund of the District of Columbia at the end of the fiscal
7 year or at any other time, and subject to authorization in an approved budget and financial plan,
8 shall be continually available for the uses and purposes identified without regard to fiscal year
9 limitation.

10 (b) The OIG Support Fund shall be used for capital or operating expenses incurred to
11 carry out OIG’s statutory functions, including facilities upgrades, technology maintenance and
12 upgrades, and training.

13 (c) All excess funds remaining in the operating budget for the Office of the Inspector
14 General at the end of each fiscal year shall be deposited into the OIG Support Fund.

15 **SUBTITLE C. COMPENSATION FOR UNJUST IMPRISONMENT**
16 **AMENDMENT**

17 Sec. 1021. Short title.

18 This subtitle may be cited as the “Unjust Conviction and Imprisonment Compensation
19 Amendment Act of 2017”.

20 Sec. 1022. The District of Columbia Unjust Imprisonment Act of 1980, effective March
21 5, 1981 (D.C. Law 3-143; D.C. Official Code § 2-421 *et seq.*), is amended as follows:

22 (a) Section 2 (D.C. Official Code § 2-421) is amended as follows:

23 (1) Designate the existing text as subsection (a).

1 (2) Strike the phrase “present a claim for damages against the District of
2 Columbia” and insert the phrase “may petition the District of Columbia for compensation as
3 provided under this act.” in its place.

4 (3) Add new subsections (b), (c), and (d) to read as follows:

5 “(b) A person is entitled to compensation under this act if:

6 “(1) The person served a sentence, in whole or in part, following conviction for a
7 felony offense under the laws of the District of Columbia;

8 “(2) The conviction for the offense has been reversed or set aside on the ground
9 that he or she is not guilty of such offense, or he or she has been pardoned upon the stated
10 ground of innocence and unjust conviction; and

11 “(3) The person has obtained a certificate of innocence from the court.

12 “(c) Notwithstanding subsection (b) of this section, a person is not entitled to
13 compensation under this act for any part of a sentence served, whether incarcerated, on parole,
14 on probation, or as a registered sex offender, if that person was also serving a concurrent
15 sentence for another crime to which subsection (b) does not apply.

16 “(d) Any person seeking compensation under this act shall file an application as provided
17 under section 3 of this act no later than 3 years following the date the person received a
18 certificate of innocence from the court.”.

19 (b) Section 3 (D.C. Official Code § 2-422) is amended to read as follows:

20 “Sec. 3. Petitions for compensation

21 (a) Any person that petitions the District for compensation under this act shall file the
22 following with the Office of Risk Management:

1 “(1) An application for compensation as devised by the Office of Risk
2 Management;

3 “(2) A copy of the certificate of innocence issued by the court pertaining
4 to the conviction on which the petition for compensation is based;

5 “(3) A statement from the United States Bureau of Prisons or the
6 Department of Corrections verifying the length of incarceration pertaining to the conviction on
7 which the petition for compensation is based;

8 “(4) A statement from the Court Supervision and Offender Services
9 Agency verifying the length of time spent on parole, if applicable; and

10 “(5) Any additional documents deemed necessary by the Office of Risk
11 Management and listed as a requirement for a petition on the application for compensation.

12 “(b) The Chief Risk Officer shall make a determination to approve or disapprove the
13 petition for compensation filed under this section within 45 days after the date the petition was
14 submitted. For the purposes of this act, a petition shall not be deemed to have been submitted
15 until all required documents under subsection (a) of this section have been filed with the Office
16 of Risk Management.

17 “(c)(1) If the Chief Risk Officer approves the petition for compensation filed under this
18 section, he or she shall include in the approval a determination of the amount owed to the
19 petitioner pursuant to section 4 of this act.

20 “(2) If the Chief Risk Officer denies the petition for compensation filed under
21 this section, the petitioner may bring an action in court for mandamus relief.”.

22 (c) Section 4 (D.C. Official Code § 2-423) is amended to read as follows:

23 “Sec. 4. Compensation and other benefits

1 “(a) A petitioner that meets the requirements under this act for compensation for unjust
2 imprisonment shall be entitled to compensation from the District as follows:

3 “(1) For the physical injury of wrongful conviction and incarceration of the
4 petitioner, the District shall provide or the court shall order damages as follows:

5 “(A) \$200,000 for each year of incarceration, to include a pro-rated
6 amount for partial years served; and

7 “(B) \$40,000 for each year served either on parole, probation, or as a
8 registered sex offender, to include a pro-rated amount for partial years served; and

9 “(2) Upon the approval of a petition for compensation under section 3 of this act,
10 the Office of Risk Management shall provide the petitioner with a grant in the amount of
11 \$10,000 to assist in securing immediate services as follows:

12 “(A) Housing;

13 “(B) Transportation;

14 “(C) Subsistence;

15 “(D) Re-integrative services; and

16 “(E) Mental and physical health care.

17 “(b) Notwithstanding any other provision of this act, compensation awarded pursuant to
18 subsection (a) of this section shall not be subject to any taxes or treatment as gross income under
19 District law.

20 (d) A new section 7 is added to read as follows:

21 “Sec.7. Required notification

22 “Upon release from incarceration because a conviction for the offense has been reversed
23 or set aside on the ground that the person is not guilty of such offense, or after a person has been

1 pardoned upon the stated ground of innocence and unjust conviction, and upon the person's
2 compliance with the requirements of Section 3(a), the Office of Risk Management shall provide
3 information to the person, orally and in writing, that includes guidance on how to obtain
4 compensation under this act, and a list of nonprofit advocacy groups that assist individuals that
5 have been wrongfully convicted and imprisoned.”.

6 **SUBTITLE D. D.C. ACCESS SYSTEM AMENDMENT**

7 Sec. 1031. Short title.

8 This subtitle may be cited as the “D.C. Access System Amendment Act of 2017”.

9 Sec. 1032. Section 1814 of the Office of the Chief Technology Establishment Act of
10 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403), is amended by
11 adding a new paragraph (9A) to read as follows:

12 “(9A) Manage the development, establishment, implementation, and ongoing operations
13 of the information technology supporting the DC Access System (DCAS), which shall be an
14 integrated portal for certain health and human service programs and benefits, including at a
15 minimum: DC Health Link; the General Assistance for Children program, established by section
16 505a of the District of Columbia Public Assistance Act of 1982, effective August 17, 1991 (D.C.
17 Law 9-27; D.C. Code § 4-205.05a); the HealthCare Alliance, referred to in section 7 of the
18 Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18;
19 D.C. Official Code § 7-1405); the Interim Disability Assistance program, referred to in section
20 201(7) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.
21 Law 4-101; D.C. Code § 4-202.01(7)); the Medicaid program, referred to in Title IV of the
22 District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101;
23 D.C. Code § 4-204.01 *et seq.*); the Program on Work, Employment, and Responsibility,

1 established by section 572 of the District of Columbia Public Assistance Act of 1982, effective
2 April 20, 1999 (D.C. Law 12-241; D.C. Code § 4-205.72); Refugee Cash Assistance, part of the
3 Refugee Resettlement Assistance program, referred to in section 904(a)(6) of the District of
4 Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C.
5 Official Code § 4-209.04(a)(6)); the SNAP Employment and Training program (also referred to
6 as the Food Stamp Employment and Training program), funded in part pursuant to section 16(h)
7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)); the Supplemental Nutrition Assistance
8 Program, established by the Food and Nutrition Act of 2008 (7 U.S.C. § 2011 *et seq.*); and the
9 Temporary Assistance for Needy Families program, referred to in section 201(5) of the District
10 of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code
11 § 4-202.01(5)); provided, that the management and oversight of the programs and benefits
12 themselves, and the oversight of associated federal funds, shall be consistent with federal law
13 and remain with the agencies responsible for the implementation of the programs and benefits.
14 Notwithstanding the foregoing, there shall be maintained as websites separate from DCAS, to the
15 extent required by the Patient Protection and Affordable Care Act, approved March 23, 2010
16 (124 Stat. 162; 42 U.S.C. § 18001 *et seq.*) (“Affordable Care Act”) and its implementing
17 regulations, a website through which enrollees and prospective enrollees of qualified health
18 plans, as such term is defined in section 1301 of the Patient Protection and Affordable Care Act,
19 approved March 23, 2010 (124 Stat 162; 42 U.S.C. § 18021), may obtain standardized
20 comparative information on such plans, a website for the American Health Benefit Exchange
21 referred to in section 5(a)(1) of the Health Benefit Exchange Authority Establishment Act of
22 2011, March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.04(a)(1)), and a website
23 for the SHOP Exchange, referred to in section 5(a)(2) of the Health Benefit Exchange Authority

1 Establishment Act of 2011, March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-
2 3171.04(a)(2)). The Office of the Chief Technology Officer shall have authority to develop,
3 implement, integrate, and operate the information technology supporting the separate websites;
4 provided, the Health Benefits Exchange Authority shall retain program management and
5 oversight responsibility over such information technology in order to ensure compliance with the
6 requirements of the Affordable Care Act and its implementing regulations . Each of the separate
7 websites shall be integrated with DCAS, and the Health Benefits Exchange Authority shall assist
8 the Office of the Chief Technology Officer in implementing such integration.;”.

9 **SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS**

10 Sec 1041. Short title.

11 This subtitle may be cited “Public-Private Partnerships Amendment Act of 2017”.

12 Sec. 1042. The Public-Private Partnerships Act of 2014, effective March 11, 2015 (D.C.
13 Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

14 (a) Section 101(10) (D.C. Official Code § 2-271.01 (10)) is amended by striking the word
15 “mail” and inserting “written notice” in its place.

16 (b) Section 113 (D.C. Official Code § 2-273.08) is amended by inserting a new
17 subsection (a-1) to read as follows:

18 “(a-1) District-owned property subject to a public-private partnership agreement under
19 this act shall be exempt from An Act Authorizing the sale of certain real estate in the District of
20 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.
21 Official Code § 10-801 *et seq.*).”.

22 **SUBTITLE F. CLASSIFICATION AMENDMENT**

23 Sec. 1051. Short title.

1 This subtitle may be cited as the “Classification Clarification Amendment Act of 2017”.

2 Sec. 1052. Section 1101 of the District of Columbia Government Comprehensive Merit
3 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-611.01
4 *et seq.*)), is amended as follows:

5 (a) Section 1101(c) (D.C. Official Code § 1-611.01(c)) is amended to read as follows:

6 “(c) Classification systems or proposals developed under the authority of this subchapter
7 shall be published in the District of Columbia Register at least 30 days prior to their proposed
8 effective date.”

9 (b) Section 1102(d) (D.C. Official Code § 1-611.02(d)) is amended to read as follows:

10 “(d) Classification systems or proposals developed under the authority of this section
11 shall be published in the District of Columbia Register at least 30 days prior to their proposed
12 effective date.”

13
14 **SUBTITLE G. DEFERRED COMPENSATION PROGRAM ENROLLMENT**

15 Sec. 1061. Short title.

16 This subtitle may be cited as the “Deferred Compensation Program Enrollment Act of
17 2017”.

18 Sec. 1062. Section 1117 of the District of Columbia Government Comprehensive Merit
19 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
20 611.17), is amended as follows:

21 (a) The existing text is designated as subsection (a).

22 (b) New subsections (b) and (c) are added to read as follows:

1 “(b) The personnel authority shall automatically enroll all new employees in the District
2 government’s deferred compensation program. All newly hired employees’ contributions to the
3 program shall be no less than 5% of their base salary upon hire.

4 “(c) An employee may increase, reduce, or eliminate his or her contributions to the
5 deferred compensation program at any time.

6 “(d) The Mayor shall issue rules to implement this section.”.

7 **SUBTITLE H. EXECUTIVE SERVICE PAY SCHEDULE CONFORMITY ACT**

8 **Sec. 1071. Short title**

9 This subtitle may be cited as the “Executive Service Pay Schedule Conformity
10 Amendment Act of 2017”.

11 Sec. 1072. Section 1052(b)(3)(A) of the District of Columbia Government
12 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.
13 Official Code § 1-601.01 et seq.), is amended by striking the phrase “paragraph (2)” and
14 inserting the phrase “paragraphs (2)(A) and (D)” in its place.

15 **Sec. 1073. Applicability.**

16 This subtitle shall apply as of July 20, 2016.

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

18 **SUBTITLE A. HISTORIC ONLY PERMIT FEE AMENDMENT**

19 **Sec. 2001. Short title.**

20 This subtitle may be cited as the “Historic Only Permit Fee Reduction Amendment Act of
21 2017.”

1 Sec. 2011. The chart set forth in paragraph (a) of section 101.1 (Building Permit Fees) of
2 Title 12M (Fees) of the District of Columbia Municipal Regulations is amended by adding the
3 following row after the row labeled “Grandstand”:

“Historic only permits	Permits issued pursuant to 12A DCMR 105.2.5	\$33
------------------------	--	------

4 .”

5 **SUBTITLE B. GOVERNMENT EMPLOYER-ASSISTED HOUSING PROGRAM**

6 **AMENDMENT**

7 Sec. 2011. Short title.

8 This subtitle may be cited as the "Government Employer-Assisted Housing Program
9 Amendment Act of 2017".

10 Sec. 2012. The Government Employer-Assisted Housing Amendment Act of 1999,
11 effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2501 *et seq.*), is amended as
12 follows:

13 (a) Section 3(2) (D.C. Official Code § 42-2502(2)) is amended by striking the phrase “up
14 to \$10,000” and inserting the phrase “up to \$20,000” in its place.

15 (b) Section 6(a) (D.C. Official Code § 42-2505(a)) is amended by striking the phrase “up
16 to \$10,000” and inserting the phrase “up to \$20,000” in its place.

17 **SUBTITLE C. HOUSING PRODUCTION TRUST FUND AMENDMENT**

18 Sec. 2021. Short title.

19 This subtitle may be cited as the "Housing Production Trust Fund Amendment Act of
20 2017".

21 Sec. 2022. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective
22 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended by

1 inserting the phrase “; except, that an additional 5% of the fund balance carried forward in fiscal
2 year 2017, fiscal year 2018, and fiscal year 2019 may be used for administration of the Fund”
3 after the phrase “pursuant to subsection (c) of this section”.

4 **SUBTITLE D. HOUSING PRESERVATION FUND ESTABLISHMENT**

5 Sec. 2031. Short title.

6 This subtitle may be cited as the "Housing Preservation Fund Establishment Act of
7 2017".

8 Sec. 2032. Housing Preservation Fund.

9 (a) There is established as a special fund the Housing Preservation Fund (“Preservation
10 Fund”), which shall be administered by the Department of Housing and Community
11 Development in accordance with subsections (c) and (d) of this section.

12 (b) In fiscal year 2018, \$10 million from local appropriations shall be deposited into the
13 Preservation Fund.

14 (c) Money in the Preservation Fund shall be used to provide debt and/or equity to
15 finance housing preservation activities including acquisition bridge loans, predevelopment
16 expenses (earnest money deposits, third party reports such as architectural, engineering, title
17 reports, surveys), environmental remediation, critical repairs and other activities necessary to
18 preserve the affordability of housing units; provided, that projects that receive funding from the
19 Preservation Fund shall execute an affordability covenant with terms and conditions as
20 determined by the Mayor.

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

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

SUBTITLE E. ST. ELIZABETHS EAST CAMPUS REDEVELOPMENT FUND

Sec. 2041. Short title.

This subtitle may be cited as the “St. Elizabeths East Campus Redevelopment Fund Establishment Act of 2017.”

Sec. 2042. St. Elizabeths East Campus Redevelopment Fund.

“(a) There is established as a special fund the St. Elizabeths East Campus Redevelopment Fund ("Fund"), which shall be administered by the Office of the Deputy Mayor for Planning and Economic Development and used solely for the purposes set forth in subsection (f) of this section.

“(b) For the purposes subsections (c), (d), and (e) of this section, St. Elizabeths East Campus Entertainment and Sports Arena Site means that portion of the St. Elizabeth’s East Campus, located at 1100 Alabama Ave., SE, in Washington, D.C., comprised of approximately 1.76116 acres of real property (approximately 76,716 square feet) which is part of the St. Elizabeth’s East Campus designated under the District Zoning Code as Parcel StE-12, more specifically known for tax and assessment purposes as Lot No. 815, together with such portion of Parcel StE-9 located on the St Elizabeth’s East Campus, or specifically known for tax and assessment purposes as Lot No. 819.

“(c) From the tax year commencing October 1, 2018 through the tax year ending September 30, 2021, the Chief Financial Officer shall deposit into the Fund funds received pursuant to D.C. Official Code § 47-1005.01 and D.C. Official Code § 47-2002 attributable to taxable revenue generated from the St. Elizabeths East Campus Entertainment and Sports Arena Site, as defined in subsection (b) of this section, in the amount not to exceed \$855,000 per fiscal year.

1 “(d) From the tax year commencing October 1, 2018 through the tax year ending September
2 30, 2021, taxes imposed on the Entertainment and Sports Arena Site pursuant to D.C. Official Code §
3 47-1005.01 shall be abated to the extent that they exceed \$855,000.

4 “(e) Beginning with the tax year commencing on October 1, 2021 the Chief Financial Officer
5 shall deposit into the Fund all funds received pursuant to D.C. Official Code § 47-1005.01 and D.C.
6 Official Code § 47-2002 attributable to taxable revenue generated from the St. Elizabeths East
7 Campus Entertainment and Sports Arena Site, as defined in subsection (b) of this section, for the
8 period ending on the last day of the tax year that the ground lease is in effect, in accordance with the
9 requirements of the Development Finance Agreement.

10 “(f) The Fund shall be used solely to support the maintenance, operation, and construction
11 activities on the St. Elizabeths East Campus Redevelopment Site..

12 “(g) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective
13 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy
14 Mayor for Planning and Economic Development shall have the authority to make grants from the
15 Fund to recipients in furtherance of the purposes set forth in subsection (f) of this section.

16 “(h)(1) The money deposited into the Fund shall not revert to the unrestricted fund balance
17 of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

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

21 Sec. 2051. Short title.

22 This subtitle may be cited as the “Deputy Mayor for Planning and Economic
23 Development Limited Grant-Making Authority Amendment Act of 2017”.

1 Sec. 2052. Section 2032 of the Deputy Mayor for Planning and Economic Development
2 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;
3 D.C. Official Code § 1-328.04), is amended as follows:

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

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

6 (2) Paragraph (3) is amended by striking the period at the end and inserting a
7 semicolon in its place.

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

9 “(4) Funds for Qualified High Technology Companies as defined in D.C.
10 Official Code § 47-1817.01(5)(A);

11 “(5) Funds to support real estate projects developed or to be developed on
12 properties disposed of pursuant to District law; and

13 “(6). Funds as may be necessary to support business development in the
14 District.”.

15 (b) Subsection (e) is amended by inserting the phrase “or grant” after the phrase
16 “Memorandum of Agreement or Memorandum of Understanding”.

1 **SUBTITLE G. LAND DISPOSITION TRANSPARENCY AMENDMENT**

2 Sec. 2061. Short title.

3 This subtitle may be cited as the “Land Disposition Transparency Amendment Act of
4 2017”.

5 Sec. 2062. Section 1 of An Act Authorizing the sale of certain real estate in the District of
6 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.
7 Official Code § 10-801), is amended by adding a new subsection (b-5) to read as follows:

8 (a) “(b-5) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the
9 following projects, the Mayor shall hold at least one public hearing on the finding that the real
10 property is no longer required for public purposes before submitting the proposed surplus
11 resolution and proposed disposition resolution to Council, which shall be held on an accessible
12 evening or weekend time and in an accessible location in the vicinity of the real property and for
13 which the Mayor shall provide at least 30 days written notice of the public hearing to the affected
14 Advisory Neighborhood Commission and publicize notice of the hearing in the District of
15 Columbia Register at least 15 days before the hearing:

16 “(1) Franklin School (Ward 2);

17 “(2) Grimke School (Ward 1);

18 “(3) Parcel 42 (Ward 6);

19 “(4) Water Front Station II (Ward 6);

20 “(5) Crummell School (Ward 5);

21 “(6) Truxton Circle (Ward 5);

22 “(7) MLK Gateway (Ward 8);

23 “(8) 1125 Spring Road, N.W. (Ward 4);

1 “(9) 200 K Street, N.W. (Parking Deck) (Ward 6); and

2 “(10) Northwest One (New Communities) (Ward 6).”.

3 Sec. 2063. Section 2(d)(4) of the Land Disposition Transparency and Clarification
4 Amendment Act of 2016, enacted on February 17, 2017 (D.C. Act 21-685; 64 DCR 2152), is
5 amended by striking the phrase “with this resolution, unless” and inserting the phrase “with this
6 resolution in accordance with subsection (b-1)(2) of this section, unless” in its place.

7 **SUBTITLE H. MARION S. BARRY SUMMER YOUTH EMPLOYMENT**
8 **PROGRAM AMENDMENT**

9 Sec. 2071. Short title.

10 This subtitle may be cited as the “Marion S. Barry Summer Youth Employment Program
11 Amendment Act of 2017”.

12 Sec. 2072. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5,
13 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)) is amended as follows:

14 (a) Subparagraph (A) is amended as follows:

15 (1) Sub-subparagraph (i) is amended as follows:

16 (A) Strike the phrase “21 years” and insert the phrase “24 years” in its
17 place.

18 (B) Strike the phrase “program.” and insert the phrase “program; provided,
19 that the program may not provide for the employment or training of more than 1,000 youth
20 between 22 and 24 years of age on the date of enrollment in the program.” in its place.

21 (2) A new sub-subparagraph (iv) is added to read as follows:

22 “(iv) Youth ages 22 through 24 years of age at the date of
23 enrollment shall be compensated at an hourly rate equal to the minimum wage in the District of

Columbia, specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).".

(b) Subparagraph (A-i) is amended to read as follows:

“(A-i) Registration for the summer youth jobs program shall occur annually.”.

**SUBTITLE I. BUSINESS LICENSE TECHNOLOGY FEE REAUTHORIZATION
AMENDMENT**

Sec. 2081. Short title.

This subtitle may be cited as the “Business License Technology Fee Reauthorization Amendment Act of 2017”.

Sec. 2082. Section 500.4 of Chapter 5 (Basic Business License Schedule of Fees) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations is amended to read as follows:

“500.4 Starting on October 1, 2010, the Director shall charge an additional fee of ten percent (10%) of the total cost of each basic business license to cover the costs of enhanced technological capabilities of the basic business licensing system.”.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. DEPARTMENT OF FORENSIC SCIENCES LABORATORY

FUND ESTABLISHMENT

Sec. 3001. Short title.

This subtitle may be cited as the “DFS Laboratory Fund Establishment Act of 2017”.

1 Sec. 3002. The Department of Forensic Sciences Establishment Act of 2011, effective
2 August 17, 2011 (D.C. Law 19-18; D.C. Official Code 5-1501.01 *et seq.*), is amended by adding
3 a new section 7a to read as follows:

4 “Sec. 7a. DFS Laboratory Fund

5 “(a) There is established as a special fund the DFS Laboratory Fund (“Fund”), which
6 shall be administered by the Director in accordance with subsections (c) and (d) of this section.

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

8 “(1) To the extent consistent with federal law and governing memoranda of
9 understanding, annual funds transferred from the United States Department of Homeland
10 Security for the BioWatch program; and

11 “(2) All other fee revenue received for services that the Department laboratories
12 provide.

13 “(c) Money in the Fund shall be used to fund Department laboratories, including the
14 funding of services, materials, non-grant funded research, equipment, laboratory staff, and
15 trainings of Department staff.

16 “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund
17 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
18 other time.

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

21 **SUBTITLE B. DFS LABORATORY TESTING AND EXPERT WITNESS FEES**
22 **ESTABLISHMENT**

23 Sec. 3011. Short title.

1 This subtitle may be cited as the “DFS Laboratory Testing and Expert Witness Fees
2 Establishment Act of 2017”.

3 Sec. 3012. Section 16(a) of the Department of Forensic Sciences Establishment Act of
4 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code 5-1501.15(a)), is amended
5 to read as follows:

6 “(a) The Mayor, pursuant to Title I of the District of Columbia Administrative
7 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
8 may issue rules to implement the provisions of this act. The rules may include:

9 “(1) A fee schedule for environmental testing services provided by
10 laboratories of the Department, which may account for the provision of bulk services and may be
11 developed on a sliding scale based on a recipient’s ability to pay for services; and

12 “(2) A fee schedule for services related to the cost of expert witness
13 testimony that is provided by employees of the Department to entities not listed in section 7(b),
14 which shall be reasonably related to the cost of providing expert testimony, the cost of any travel,
15 and the cost of related administrative functions.”.

16 **SUBTITLE C. CHIEF MEDICAL EXAMINER AMENDMENT**

17 Sec. 3021. Short title.

18 This subtitle may be cited as the “Chief Medical Examiner Amendment Act of 2017”.

19 Sec. 3022. The Establishment of the Office of the Chief Medical Examiner Act of 2000,
20 effective October 19, 2000 (D.C. Law 13-173; D.C. Official Code § 5-1401 *et seq.*), is amended
21 by adding a new section 2907a to read as follows:

22 Sec. 2907a. Mass Fatality.

1 (a) The Office of the Chief Medical Examiner shall serve as the lead agency for the
2 District's mass fatality management and mass fatality incident response.

3 (b) The CME shall create a District mass fatality management response plan.

4 (c) The CME may enter into, request, or provide assistance under mutual aid agreements
5 with states or local jurisdictions within the national capital region or with the federal government
6 for the purpose of mass fatality management or mass fatality incident response.

7 (d) For the purposes of this section, the term:

8 (1) "Mass fatality incident" means a situation resulting in more human remains to
9 be investigated, recovered, and examined than can be managed using District resources, or any
10 other exceptional circumstance that results in the inability to process human remains under
11 routine conditions.

12 (2) "Mass fatality management" means the training of and cooperation among
13 governmental and nongovernmental agencies, organizations, associations, and other entities to
14 ensure the accomplishment of the following in mass fatality incidents: the proper recovery,
15 handling, identification, transportation, tracking, storage, and certification of cause and manner
16 of death of victims; and facilitating access to mental and behavioral health services to family
17 members, responders, and survivors."

18 **SUBTITLE D. AFFORDABLE EMERGENCY TRANSPORTATION AND PRE-**
19 **HOSPITAL MEDICAL SERVICES AMENDMENT**

20 Sec. 3031. Short title.

21 This subtitle may be cited as the "Affordable Emergency Transportation and Pre-Hospital
22 Medical Services Amendment Act of 2017."

1 Sec. 3032. (a) Section 3 of the Access to Emergency Medical Services Act of 1998,
2 effective September 11, 1998 (D.C. Law 12-145; D.C. Official Code § 31-2802) is amended by
3 adding a new subsection (e) to read as follows:

4 “(e) All health insurers, hospital or medical services corporations, or health maintenance
5 organizations shall provide reimbursement for emergency ambulance and pre-hospital medical
6 services delivered pursuant to section 1(b) of An Act To classify the officers and members of the
7 fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34
8 Stat. 314; D.C. Official Code § 5-401(b)) at the fee rate authorized by the Council pursuant to
9 section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124; Official
10 Code § 5-416(a)) whether provided by the Fire and Emergency Medical Services Department or
11 any third-party vendor contracted by the District to provide such services.”

12 (b) Section 502 of the Revenue Act of 1978, effective April 19, 1977 (D.C. Law 1-124;
13 D.C. Official Code § 5-416) is amended by adding a new subsection (c) to read as follows:

14 “(c) There is established as a special, non-lapsing fund, the Fire and Emergency Medical
15 Services Department EMS Reform Fund (“Fund”), which shall be administered by the Fire and
16 Emergency Medical Services Department in accordance with this subsection.

17 “(1) The following revenue shall be deposited in the Fund:

18 “(A) Any additional revenue that results from the enactment of section
19 2(a) of the Affordable Emergency Transportation and Pre-Hospital Medical Services
20 Amendment Act of 2017 (D.C. Official Code § 31-2802(e)); and

21 “(B) Any revenue that is in excess of the fiscal year 2016 revenue
22 collected in accordance with this section.

1 “(2) The Fund shall be used for the purpose of reform and improvement of the
2 delivery of emergency medical services in the District of Columbia.

3 “(3) The money deposited into the Fund shall not revert to the unrestricted fund
4 balance of the General Fund of the District of Columbia at the end of any fiscal year or at any
5 other time.

6 “(4) Subject to authorization in an approved budget and financial plan, any funds
7 appropriated into the Fund shall be continually available without regard to fiscal year
8 limitation.”.

9 Sec. 3043. Applicability.

10 This act shall apply to all health benefit plans issued or renewed in the District 90 or
11 more days after the effective date of this act.

12 **SUBTITLE E. EMERGENCY AND NON-EMERGENCY NUMBER**
13 **TELEPHONE CALLING SYSTEMS AMENDMENT**

14 Sec. 3041. Short title.

15 This subtitle may be cited as the “Emergency and Non-Emergency Telephone Calling
16 Systems Fund Amendment Act of 2017.”

17 Sec. 3042. The Emergency and Non-Emergency Telephone Calling Systems Fund Act of
18 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 et seq.), is
19 amended as follows:

20 (a) Section 602 (D.C. Official Code § 34-1801) is amended by adding a new paragraph
21 (3A) to read as follows:

1 “(3A) “Hotel” means a building or part of a building in which habitable rooms or
2 suites are reserved exclusively for transient guests who rent the rooms or suites on a daily
3 basis.”.

4 (b) Section 603(a) (D.C. Official Code § 34-1802(a)) is amended by striking the phrase
5 “a tax imposed” and inserting the phrase “taxes imposed” in its place.

6 (c) Section 604 (D.C. Official Code § 34-1803) is amended as follows:

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

8 “(a-1) There is imposed upon all hotels, as defined in section 602(3A), a tax of \$0.50 per
9 room or suite rental, per night.”

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

11 “(b) As prescribed by the Mayor by rule:

12 “(1) Each local exchange carrier shall submit to the Mayor the tax imposed under
13 subsection (a) of this section;

14 “(2) Each hotel shall submit to the Mayor the tax imposed under subsection (a-1)
15 of this section; and

16 “(3) The form that the Mayor prescribes by rule shall be filed.”.

17 (3) Subsection (c) is amended by striking the word “tax” and inserting the word
18 “taxes” in its place.

19 (4) Subsection (d) is amended by striking the word “carrier” and inserting the
20 phrase “carrier and hotel” in its place.

21 (d) Section 605a (D.C. Official Code § 34-1805) is amended by striking the word “tax”
22 and inserting the word “taxes” in its place.

23 **SUBTITLE F. RETIRED POLICE OFFICER REDEPLOYMENT AMENDMENT**

1 Sec. 3051. Short title

2 This subtitle may be cited as the “Retired Police Officer Redeployment Amendment Act
3 of 2017”.

4 Sec. 3052. Section 2(h) of the Retired Police Officer Redeployment Amendment Act of
5 1992, effective September 29, 1992 (D.C. Law 9-163 D.C. Official Code § 5-761(h)), is amended
6 as follows:

7 “(a) Subparagraph (2) is amended to read as follows:

8 “(2) The authority of the Metropolitan Police Department to rehire a police officer under
9 this subsection shall expire 3 years after the effective date of this Act.

10 “(b) A new subparagraph (3) is added to read as follows:

11 “(3) A retired officer rehired under this subsection shall serve for a length of time not to
12 exceed 5 years.”.

13
14 **SUBTITLE G. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS**
15 **AMENDMENT**

16 Sec. 3061. Short title.

17 This subtitle may be cited as the “Neighborhood Engagement Achieves Results
18 Amendment Act of 2017”.

19 Sec. 3062. The Neighborhood Engagement Achieves Results Act of 2016, effective June 30,
20 2016 (D.C. Law 21-125; to be codified at D.C. Official Code § 7-2411 et seq.), is amended as follows:

21 (a) Section 101 is amended to read as follows:

22 “Sec. 101. Office of Community Engagement and Neighborhood Safety establishment;
23 appointment of Executive Director.

1 “(a) There is established an Office of Community Engagement and Neighborhood Safety
2 (“OCENS”).

3 “(b)(1) The OCENS shall include the following programs:

4 “(A) The Community Stabilization Program, which shall be transferred to the
5 OCENS from the Office of the Deputy Mayor for Public Safety and Justice, along with all functions
6 assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of
7 appropriations, allocations, and other funds available or to be made available for the purposes of the
8 program; and

9 “(B) The Safer, Stronger DC Community Partnerships Program, which shall
10 be transferred to the OCENS from the Office of the Deputy Mayor for Health and Human Services,
11 along with all functions assigned, authorities delegated, positions, personnel, property, records, and
12 unexpended balances of appropriations, allocations, and other funds available or to be made available
13 for the purposes of the program.

14 “(2) The Mayor may transfer some or all of the Roving Leaders Program, along with
15 some or all of and all functions assigned, authorities delegated, positions, personnel, property, records,
16 and unexpended balances of appropriations, allocations, and other funds available or to be made
17 available for the purposes of the program, from the Department of Parks and Recreation to the
18 OCENS.

19 “(b) The OCENS shall be responsible for:

20 “(1) Coordinating the District’s overall violence prevention strategy and programs,
21 with a focus on utilizing public health approaches to responding to and preventing violence;

22 “(2) Identifying, recruiting, and engaging individuals determined to be at high risk of
23 participating in, or being a victim of, violent crime;

1 “(3) Collaborating with other District agencies and nonprofit organizations to provide
2 immediate wrap-around services to victims and families affected by homicides and violent crime;

3 “(4) Identifying priority neighborhoods and Metropolitan Police Department police
4 service areas with high trends of violent crime and connecting residents to services through a
5 streamlined approach;

6 “(5) Developing positive relationships with youth and young adults using recreational
7 and other positive behavior reinforcement activities; and

8 “(6) Coordinating with District agencies and community-based organizations to
9 develop programs that focus on employment and job-training opportunities for individuals residing in
10 high priority areas or who are most at risk of being involved with violent crime, including the use of
11 financial incentives for participation.

12 “(c) The OCENS shall be headed by an Executive Director who shall report to the Deputy
13 Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant
14 experience in criminal justice and public health approaches to violence, including matters affecting the
15 deterrence of violent criminal behavior.

16 “(d) Beginning on January 31, 2018, and by January 31 of each year thereafter, the OCENS
17 shall provide a report to the Mayor and Council, that excludes personally identifiable information and
18 includes the following information from the reporting period and in the aggregate:

19 “(1) The number of individuals successfully recruited and engaged;

20 “(2) The duration of individuals’ participation;

21 “(3) The status of participants’ progress; and

22 “(4) The participants’ age, race or ethnicity, gender, and ward of residence.

1 “(e) The OCENS shall have grant-making authority for the purpose of providing funds that
2 seek to reduce and prevent violent criminal activities. Grants made pursuant to this subsection shall be
3 administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective
4 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.).

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

8 (b) Section 102 is amended to read as follows:

9 “Sec. 102. Duties of the Executive Director.

10 “(a) The duties of the Executive Director shall include:

11 “(1) Identifying individuals who pose a high risk of participating in, or being a victim
12 of, violent crime;

13 “(2) Recruiting such individuals, as feasible, to participate in programs incorporating
14 mental or behavioral health counseling, designed to discourage violent crime;

15 “(3) Coordinating with District agencies to develop programs with the goal of the
16 participants obtaining and maintaining stable employment; and

17 “(4) Producing reports as required under subsection (c) of this section.

18 “(b)(1) The Executive Director shall ensure that any personally identifiable information that
19 the OCENS collects or maintains concerning existing or potential participants in its programs remains
20 confidential.

21 “(2) The Executive Director shall regularly conduct assessments and evaluations, to be
22 performed by a qualified research entity, of outcomes for participants in OCENS programs.”.

23 (c) Section 103 is amended to read as follows:

1 “Sec. 103. Community Engagement and Neighborhood Safety Fund.

2 “(a) There is established as a special fund the Community Engagement and Neighborhood
3 Safety Fund (“Fund”), which shall be administered by the Mayor in accordance with subsections (c)
4 and (d) of this section.

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

6 “(1) Funds appropriated by the District;

7 “(2) Grants; and

8 “(3) Donations from public or private entities.

9 “(c) Money in the Fund shall be used to fund the activities of the OCENS, including:

10 “(1) Providing grants to eligible community organizations; and

11 “(2) Appropriate overhead or administrative expenses related to the OCENS and the
12 Fund.

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

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

18 (d) Section 901 is amended by striking the phrase “101, 102, 103,”.

19 **TITLE IV. PUBLIC EDUCATION**

20 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**
21 **SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

22 Sec. 4001. Short title.

1 This subtitle may be cited as the "Funding for Public Schools and Public Charter Schools
2 Amendment Act of 2017".

3 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
4 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
5 38-2903 *et seq.*), is amended as follows:

6 (a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase
7 "\$9,682 per student for fiscal year 2017" and inserting the phrase "\$9,827 per student for Fiscal
8 Year 2018" in its place.

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

11

"Grade Level	Weighting	Per Pupil Allocation in FY 2018	12 13 14
"Pre-Kindergarten 3	1.34	\$ 13,168	15
"Pre-Kindergarten 4	1.30	\$ 12,775	16
"Kindergarten	1.30	\$ 12,775	17
"Grades 1-5	1.00	\$ 9,827	18
"Grades 6-8	1.08	\$ 10,613	19
"Grades 9-12	1.22	\$ 11,989	20
"Alternative program	1.44	\$ 14,151	21
"Special education school	1.17	\$ 11,498	22
"Adult	0.89	\$ 8,746	23

24 "

25
26 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

27 "(c) The supplemental allocations shall be calculated by applying weightings to the
28 foundation level as follows:

29 "Special Education Add-ons:
30

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,532
"Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$ 11,793
"Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$ 19,360
"Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$ 34,297
"Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.069	\$ 678
"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	\$ 875
"Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$ 16,411

"General Education Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
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"ELL	Additional funding for English Language Learners.	0.49	\$ 4,815
"At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$ 2,152

"Residential Add-ons:

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	\$ 3,616
"Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$ 13,139
"Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$ 28,411

"Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$ 28,411
"LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$ 6,565

"Special Education Add-ons for Students with Extended School Year ("ESY") Indicated in Their Individualized Education Programs ("IEPs"):

"Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2018
"Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$ 619
"Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	\$ 2,231

"Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$ 4,825	
"Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$ 4,825	".

(d) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

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

"(a) Except as provided in subsections (b), (b-1), and (b-2) of this section, the fiscal year facility allowance for Public Charter Schools shall be determined as follows: DCPS approved capital budget shall be divided by the previous school year ("SY") DCPS total pupil count, as defined in section 107 of the Uniform Per Student Funding Formula for Public School and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2906), to determine the DCPS per pupil facility cost."

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

(A) Paragraph (2) is amended by striking the phrase "and succeeding fiscal years,".

(B) New paragraphs (2A), (2B), (2C), and (2D) are added to read as follows:

"(2A) For Fiscal Year 2018 the per pupil facility allowance for Public Charter Schools shall be \$3,193.

"(2B) For Fiscal Year 2019 the per pupil facility allowance for Public Charter Schools shall be \$3,263.

"(2C) For Fiscal Year 2020 the per pupil facility allowance for Public Charter Schools shall be \$3,335.

"(2D) For Fiscal Year 2021 and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be \$3,408."

(C) Paragraph (3) is amended by striking the phrase "(1) and (2)" and inserting the phrase "(1), (2), (2A), (2B), (2C), and (2D) " in its place.

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

“(f) Facilities Allowance:

Description	Formula	Per Pupil Facilities Allotment FY2018
Non-Residential Facilities Allotment		\$3,193
Residential Facilities Allotment		\$8,580

".

SUBTITLE B. CHILD AND YOUTH, SAFETY AND HEALTH OMNIBUS

AMENDMENT

Sec. 4011. Short title.

This subtitle may be cited as the “Child and Youth, Safety and Health Omnibus Amendment Act of 2017”.

Sec. 4012. Section 202(3) of the Child and Youth, Safety and Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 4-1501.02(3)), is amended by striking the phrase "any private entity that contracts with" and

1 inserting the phrase "any private entity that is licensed by the District government or contracts
2 with" in its place.

3 **SUBTITLE C. CHILD DEVELOPMENT FACILITIES REGULATION FUND**

4 Sec. 4021. Short title.

5 This subtitle may be cited as the Child Development Facilities Regulation Fund
6 Amendment Act of 2017.

7 Sec. 4022. The Child Development Facilities Regulation Act of 1998, effective April 13,
8 1999 (D.C. Law 12-530; D.C. Code § 7-2031 *et seq.*) is amended by adding a new section 7a to
9 read as follows:

10 “Sec. 7a. Child Development Facilities Fund.

11 “(a) There is established as a special fund the Child Development Facilities Fund
12 (“Fund”), which shall be administered by the Office of the State Superintendent of Education in
13 accordance with subsections (c) and (d) of this section.

14 “(b) Revenue from all payments, fees, and fines collected pursuant to this act shall be
15 deposited in the Fund:

16 “(c) Money in the Fund shall be used to fund activities regulating child development
17 facilities, including the enforcement and monitoring activities concerning the licensure of child
18 development facilities, pursuant to this act.

19 “(d) (1) The money deposited in the Fund shall not revert to the unrestricted fund
20 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
21 other time.

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

1
2 consist of the revenue from all payments, fees, and fines collected pursuant to this
3 chapter.”.

4 **SUBTITLE D. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC**
5 **SCHOOLS AND PUBLIC CHARTER SCHOOLS TECHNICAL CLARIFICATION**

6 Sec. 4031. Short title.

7 This subtitle may be cited as the “Uniform Per Student Funding Formula for Public
8 Schools and Public Charter Schools Technical Clarification Amendment Act of 2017”.

9 Sec. 4032. Section 106(c) of Uniform Per Student Funding Formula for Public Schools
10 and Public Charter Schools Act of 1998, effective March 26, 1999 (DC Law 12-207; DC Code §
11 38-2905(c)) is amended by striking the phrase “Blackman Jones Compliance” wherever it
12 appears and inserting the phrase “Special Education Compliance” in its place.

13 **SUBTITLE E. PUBLIC CHARTER SCHOOL ASSETS AND FACILITIES**
14 **PRESERVATION**

15 Sec. 4041. Short title.

16 This subtitle may be cited as the “Public Charter School Assets and Facilities
17 Preservation Amendment Act of 2017”.

18 Sec. 4042. Section 2213a of the District of Columbia School Reform Act of 1995,
19 effective March 14, 2007 (D.C. Law 16-268; D.C. Official Code § 38-1802.13a), is amended as
20 follows:

21 (a) Subsection (b) is amended by striking the phrase “with § 29-301.48 and”.

22 (b) Subsection (c)(1) is amended to read as follows:

1 (1) The lead-in language is amended by striking the phrase “require that” and
2 inserting the phrase “provide that” in its place.

3 (2) Subparagraph (A) is amended by striking the phrase “relinquished; and” and
4 inserting the phrase “relinquished;” in its place.

5 (3) Subparagraph (B) is amended to read as follows:

6 “(B) Any assets to be distributed pursuant to a plan of distribution in
7 accordance with subsection (d)(2), shall be transferred to the District of Columbia Office of the
8 State Superintendent of Education to be controlled and used solely for educational or similar
9 purposes; and”.

10 (4) A new subparagraph (C) is amended to read as follows:

11 “(C) Notwithstanding subparagraph (B), assets, including cash, may be
12 transferred to another charter school, in a transaction overseen by the chartering authority, if the
13 acquiring charter school agrees to enroll in the acquiring school students from the closing school
14 for the following school year.”.

15 (c) Subsection (d) is amended as follows:

16 (1) Paragraph (1)(C) is amended to read as follows:

17 “(C) Distributing assets in accordance with subsection (d)(2) of this
18 section.”.

19 (2) Paragraph (2)(A) is amended to read as follows:

20 “(A) Provide that:

21 “(1) Equipment and supplies, as defined in 2 C.F.R. § 200.33 and
22 200.94, purchased with funds appropriated from the District of Columbia general fund, including
23 uniform per student funding in accordance with § 38-1804.01, be transferred or conveyed to the

District of Columbia, to be controlled by and subject to the disposition instructions of the Office of the State Superintendent of Education and used solely for educational purposes; and

“(2) Any remaining assets be transferred or conveyed to the District of Columbia, to be controlled by and subject to the disposition instructions of the Office of the State Superintendent of Education and used solely for educational purposes; and”.

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

“(2A) Notwithstanding any other provision of this section, a closing charter school may transfer assets, including cash, to another charter school, in a transaction overseen by the chartering authority if the acquiring charter school agrees to enroll in the acquiring school students from the closing school for the following school year.”.

SUBTITLE F. ACADEMIC CERTIFICATION AND TESTING FUND

CLARIFICATION

Sec. 4051. Short title.

This subtitle may be cited as the “Academic Certification and Testing Fund Clarifying Technical Amendment Act of 2017.”

Sec. 4052. Section 3b(c)(1) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code§ 38-2602(c)(1)) is amended by striking the phrase “nonlapsing”.

SUBTITLE G. POSTSECONDARY AND CAREER GRANT MAKING

Sec. 4061. Short title.

This subtitle may be cited as the “Postsecondary and Career Grant Making Authority Amendment Act of 2017.”

1 Sec. 4062. Section 3(b) of the State Education Office Establishment Act of 2000,
2 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)) is amended as
3 follows:

4 (a) Paragraph (27) is amended by striking the phrase “; and” and inserting a semicolon in
5 its place.

6 (b) Subparagraph (28) is amended by striking the period and inserting the phrase “; and”
7 in its place.

8 (c) A new paragraph (29) is added to read as follows:

9 “(25) Have the authority to issue grants, from funds under its administration, to local
10 education agencies, institutions of higher education, nonprofit organizations, and other education
11 service providers to increase access to postsecondary and career education opportunities,
12 including:

13 “(A) Programs implementing career and technical education;

14 “(B) SAT or ACT preparation programs;

15 “(D) Dual enrollment programs; and

16 “(D) Programs focused on a successful transition to college and careers.”.

17 **SUBTITLE H. HEALTHY TOTS ACT WAIVER**

18 Sec. 4071. Short title.

19 This subtitle may be cited as the “Healthy Tots Amendment Act of 2017”.

20 Sec. 4072. Section 4073a(c) of the Healthy Tots Act of 2014, effective February 26, 2015
21 (D.C. Law 20-155; D.C. Official Code § 38-282.01(c) *et seq.*), is amended by striking the phrase
22 “September 30, 2017” and inserting the phrase “September 30, 2018” in its place.

23 **SUBTITLE I. AT-RISK DEFINITION CLARIFICATION**

1 Sec. 4081. Short title.

2 This subtitle may be cited as the “At-Risk Definition Amendment Act of 2017”.

3 Sec. 4082. Section 102 of the Uniform Per Student Funding Formula for Public Schools
4 and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C.
5 Official Code § 38-2901(2A)) is amended by striking the phrase “Qualifies for” and inserting the
6 phrase “Certified to receive or is receiving assistance through” in its place.

7 **SUBTITLE J. VERIFICATION OF ENROLLMENT PROCEDURES**

8 Sec. 4091. Short title.

9 This subtitle may be cited as the “Per Capita District of Columbia Public School and
10 Public Charter School Funding Amendment Act of 2017”.

11 Sec. 4092. Section 2402 of the District of Columbia School Reform Act of 1995,
12 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.02) is amended as
13 follows:

14 (a) Paragraph (b) is amended to read as follows:

15 “(b) *Determination of number of students enrolled.* Not later than 30 days after April 26,
16 1996, and on a date specified by the Office of the State Superintendent of Education but not
17 later than October 15 of each year thereafter. The Office of the State Superintendent of
18 Education shall collect from local education agencies:

19 “(1) The number of students, including nonresident students and students with
20 special needs, enrolled in each grade from kindergarten through grade 12 of the District of
21 Columbia public schools and in public charter schools, and the number of students whose tuition
22 for enrollment in other schools is paid for with District of Columbia funds;

1 “(2) The number of students, including nonresident students, enrolled in preschool
2 and prekindergarten in the District of Columbia public schools and in public charter schools;

3 “(3) The number of full time equivalent adult students enrolled in adult,
4 community, continuing, and vocational education programs in the District of Columbia public
5 schools and in public charter schools;

6 “(4) The number of students, including nonresident students, enrolled in nongrade
7 level programs in District of Columbia public schools and in public charter schools;

8 “(5) The number of enrolled students who have dropped out since the date of the
9 previous report.”

10 (b) Paragraph (c) is amended to read as follows:

11 “(c) Verification of local education agencies’ enrollment. The Office of the State
12 Superintendent of Education shall:

13 “(1) Verify the accuracy of the local education agencies’ enrollment described in
14 subsection (b) of this subsection;

15 “(2) Determine the amount of fees and tuition assessed and collected from the
16 nonresident students described in subsection (b) of this subsection; and

17 “(3) Fund the verification solely from amounts appropriated to the Office of the
18 State Superintendent of Education for staff, stipends, and non-personnel services of the Office of
19 the State Superintendent of Education by an act making appropriations for the District of
20 Columbia.

21 (c) Paragraph (d) is amended to read as follows:

22 “(d) Annual reports. —

“(1) Not later than December 31 of each year the Office of the State Superintendent of Education shall report to the Mayor, the Council, and make publicly available, a report on the verified enrollment for each local education agency, as conducted pursuant to subsection (c).”.

Sec. 4093. Section 702 of the Public School Enrollment Census Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 38-159), is amended as follows:

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

“(a) The Office of the State Superintendent of Education shall conduct either a census or a statistically significant sampling of the enrolled students in the D.C. Public Schools and public charter schools which shall include the information specified in § 38-1804.02(b).

(b) Subsections (b) and (c) are repealed.

SUBTITLE K. UDC PATRICIA R. HARRIS FACILITY EXCLUSIVE USE

REPEAL

Sec. 4101. Short title.

This subtitle may be cited as the "UDC Patricia R. Harris Facility Exclusive Use Amendment Act of 2017".

Sec. 4102. Section 422 of the Fiscal Year 2011 Supplemental Budget Support Act of 2010, effective April 8, 2011 (D.C. Law 18-370; 58 DCR 1008), is repealed."

SUBTITLE L. DPR PARKS ADOPTION AND SPONSORSHIP AMENDMENT

Sec. 4111. Short title

This subtitle may be cited as the “The Department of Parks and Recreation Parks Adoption and Sponsorship Amendment Act of 2017 ”.

1 Sec. 4112. Section 5 of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law
2 10-246, D.C. Official Code § 10-304), is amended as follows:

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

4 “(b) The Department may enter into written agreements with business improvement
5 district corporations, as defined in section 2(4) of the Business Improvement Districts Act of
6 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(4)), to
7 authorize the business improvement district corporation to perform maintenance and operations
8 of a park within the boundaries of the business improvement district and to enter into contracts,
9 including contracts for concessions and programs, with third parties to generate revenue to fund
10 the maintenance and operations of the park.”

11 (b) New subsection (c) is added to read as follows:

12 “(c) The Department may make grants in accordance with the Grant Administration Act
13 of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 et seq.)..
14 to business improvement district corporations for maintenance and operations of parks under the
15 jurisdiction of the Department.”

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

17 **SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

18 **AMENDMENT**

19 Sec. 5001. Short title.

20 This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit
21 Elimination Amendment Act of 2017”.

22 Sec. 5002. The District of Columbia Public Assistance Act of 1982, effective April 6,
23 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

1 (a) A new section 205(e) (D.C. Official Code § 4-202.05(e)), is added to read as
2 follows:

3 “(e) To ensure that needy families with children maintain financial resources for the
4 benefit of their children, regardless of a non-exempt TANF recipient’s level of participation in
5 work activities and compliance with the TANF recipient’s individual responsibility plan, the
6 Mayor, pursuant to Title I of the District of Columbia Administrative Procedures Act, approved
7 October 21, 1968 (82 Stat. 1204; D.C. Official Code §2-501 *et seq.*), shall issue rules to
8 implement the provisions of the Temporary Assistance for Needy Families Time Limit
9 Elimination Amendment Act of 2017, effective October 1, 2017 (D.C. Law _____, section
10 _____), and to further clarify TANF sanction requirements for needy families with children. ”.

11 (b) Section 511b (D.C. Official Code § 4-205.11b) is repealed.

12 (c) Section 518(e) (D.C. Official Code § 4-205.18(e)) is amended by striking the phrase
13 “chapter.” and inserting the phrase “chapter; provided, that no sanction shall exceed 50% of the
14 TANF benefit.” in its place.

15 (d) Section 519f (D.C. Official Code § 4-205.19f), is amended by adding a new
16 subsection (g) to read as follows:

17 “(g) No sanction under this section shall exceed 50% of the assistance unit’s TANF
18 benefit to ensure that financial resources remain in the household for the benefit of the
19 children.”.

20 (e) Section 552(c-2) and (c-3) (D.C. Official Code § 4-205.52(c-2) and (c-3)) are
21 repealed.

22 (f) Section 553(a) (D.C. Official Code § 4-205.53(a)), is amended to read as follows:

1 “(a) All public assistance grants made under this act shall be reconsidered by the Mayor
2 as frequently as the Mayor may deem necessary, but in every case the Mayor shall make such
3 reconsiderations at least once annually. After such further investigation as the Mayor may deem
4 necessary, the amount of public assistance may be changed, or may be entirely withdrawn, if the
5 Mayor finds that any such grant has been made erroneously, if the recipient’s circumstances have
6 altered sufficiently to warrant such action, or if the recipient has not timely completed the
7 recertification process. If at any time during the continuance of public assistance the recipient
8 obtains possession of resources in excess of the amount previously reported by the recipient, or if
9 other changes occur in the nonfinancial circumstances previously reported by the recipient that
10 would alter either the recipient’s need or eligibility, it shall be the recipient’s duty to notify the
11 Mayor of this information immediately upon the receipt or possession of the additional
12 resources, or upon the change in circumstances. A recipient shall inform the Mayor whenever the
13 recipient begins to receive earned income, if the recipient did not earn income previously, and
14 whenever the recipient ceases to receive earned income. The recipient shall inform the Mayor as
15 soon as the recipient becomes aware that a change will occur, rather than waiting to inform the
16 Mayor in the periodic report required under section 554.”.

17 **SUBTITLE B. DEPARTMENT OF BEHAVIORAL HEALTH IMPROVEMENT**
18 **AMENDMENT**

19 Sec. 5011. Short title.

20 This subtitle may be cited as the “Behavioral Health Improvement Amendment Act of
21 2017”.

1 Sec. 5012. Section 103 of the Office of Administrative Hearings Establishment Act of
2 2001, effective March 6, 2002 (D.C. Law 14-76, D.C. Official Code § 2-1831.03), is amended by
3 adding a new subsection (b-10) to read as follows:

4 “(b-9) In addition to those adjudicated cases listed in subsections (a), (b), (b-1), (b-2), (b-
5 3), (b-4), (b-5), (b-6), (b-7), and (b-8) of this section, this act shall apply to the following
6 categories of adjudicated cases under the jurisdiction of the Department of Behavioral Health:

7 “(1) Denial, suspension, conversion, or termination of a license or certification of
8 a mental health rehabilitation services provider, substance abuse provider, or mental health
9 community residence facility pursuant to Chapters 34 or 63 of Title 22-A of the District of
10 Columbia Municipal Regulations or Chapter 31 of Title 22-B of the District of Columbia
11 Municipal Regulations;

12 “(2) Imposition of a civil fine on a mental health community residence facility or
13 mental health and substance abuse provider pursuant to Chapter 35 of Title 16 of the District of
14 Columbia Municipal Regulations;

15 “(3) Reduction, suspension, or termination of a supported housing subsidy
16 pursuant to Chapter 22 of Title 22-A of the District of Columbia Municipal Regulations;

17 “(4) Discharge or transfer from a mental health community residence facility
18 pursuant to the Nursing Home and Community Residence Facility Residents’ Protections Act of
19 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Code § 44-1003.01 *et seq.*); and

20 “(5) Non-Medicaid recoupment action against a mental health and substance
21 abuse provider.”.

22 Sec. 5013. The Mental Health Service Delivery Reform Act of 2001, effective December
23 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1231.01 *et seq.*), is amended as follows:

1 (a) Section 201 (D.C. Official Code § 7-1231.01) is amended as follows:

2 (1) Paragraph (7) is amended to read as follows:

3 “(7) “Department of Behavioral Health” or “Department” means the Department
4 of Behavioral Health established pursuant to section 5113 of the Department of Behavioral
5 Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official
6 Code §§ 7-1141.02)”.

7 (2) Paragraph (8) is amended to read as follows:

8 “(8) “Director” means the Director of the Department of Behavioral Health.”.

9 (b) Section 208(c)(7) (D.C. Official Code § 7-1231.08(7)) is amended to read as follows:

10 “(7) The right to appeal the decision of the neutral party to an independent panel
11 consisting of 3 persons appointed by the provider and convened within 72 hours. No person
12 currently involved in the consumer’s treatment or diagnosis shall serve as a member of the panel.
13 The panel shall include:

14 “(A) A board-certified psychiatrist;

15 “(B) A licensed practitioner; and

16 “(C) A consumer, or if unavailable, a consumer advocate; and”.

17 (c) Section 212(b)(4) (D.C. Official Code § 7-1231.12(b)(4)) is amended to read as
18 follows:

19 “(4) Any party who is dissatisfied with the outcome of the external review process
20 may request a fair hearing if the subject matter of the grievance meets the definition of a
21 contested case in section 3(8) of the District of Columbia Administrative Procedure Act,
22 effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(8)) (“Administrative
23 Procedure Act”). A fair hearing for a grievance that meets the requirements of a contested case

1 shall be conducted in accordance with the contested case requirements in section 10 of the
2 Administrative Procedure Act (D.C. Official Code § 2-509).”.

3 Sec. 5014. Section 21-582(a) of Title 21 of the District of Columbia Official Code is
4 amended as follows:

5 (a) Paragraph (2) is amended by striking the phrase “Is financially interested in the
6 hospital in which the person is to be detained; or” and inserting the phrase “Has a professional
7 arrangement with a hospital that does not comply with the federal limitation on certain physician
8 referrals, established by section 1877 of the Social Security Act, approved December 19, 1989
9 (103 Stat. 2106; 42 U.S.C. § 1395nn), and its implementing regulations.” in its place.

10 (b) Paragraph (3) is repealed.

11 Sec. 5015. Section 6 of An Act To provide for the treatment of sexual psychopaths in the
12 District of Columbia, effective June 9, 1948 (62 Stat. 349; D.C. Official Code § 22-3808), is
13 amended as follows:

14 (a) The existing text is designated as subsection (a).

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

16 “(b) A person ordered confined and the person’s estate shall be charged with the
17 expense of the person’s treatment and support in the institution or hospital.”.

18 Sec. 5016. The Nursing Home and Community Residence Facility Residents’
19 Protections Act of 1985, effective April 18, 1986 (D.C. Law 6-108, D.C. Official Code § 44-
20 1001.01 *et seq.*), is amended as follows:

21 (a) Section 303(b) (D.C. Official Code § 44-1003.03(b)) is amended by striking the
22 sentence “The Mayor shall hold a hearing at the resident's facility within 5 calendar days, and
23 shall render a decision within 7 calendar days, after a timely hearing request is received.” and

1 inserting the sentences “The Mayor shall hold a hearing at the Office of Administrative Hearings
2 within 10 calendar days, and OAH shall render a decision within 21 calendar days, after a timely
3 hearing request is received. If the resident is unable to travel to the Office of Administrative
4 Hearings due to a physical or mental disability, the resident shall be offered the opportunity to
5 participate remotely through telephone or other means.” in its place.

6 (b) Section 309(a) (D.C. Official Code § 44-1003.09(a)) is amended by striking the
7 sentence “When a hearing request is submitted by a resident, the hearing shall be held at a
8 location convenient to the resident.”.

9 **SUBTITLE C. MEDICAL ASSISTANCE PROGRAM RELIEF AMENDMENT**

10 Sec. 5021. Short title.

11 This subtitle may be cited as the “Medical Assistance Program Relief Amendment Act of
12 2017”.

13 Sec. 5022. Section 1(a)(2) of an Act To enable the District of Columbia to receive
14 Federal financial assistance under title XIX of the Social Security Act for a medical assistance
15 program, and for other purposes, approved December 27, 1967 (81 Stat. 744: D.C. Official Code
16 § 1-307.02(a)), is repealed.

17 **SUBTITLE D. DHCF ESTABLISHMENT AMENDMENT**

18 Sec. 5031. Short title.

19 This subtitle may be cited as the “Department of Health Care Finance Establishment
20 Amendment Act of 2017”.

21 Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective
22 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 et *seq.*), is amended by
23 adding a new section 13 to read as follows:

1 “Sec. 13. Rules.

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

5 **SUBTITLE E. ANIMAL CONTROL AMENDMENT**

6 Sec. 5041. Short title.

7 This subtitle may be cited as the Animal Control Act of 1979 Amendment Act of 2017.

8 Sec. 5042. The District of Columbia Animal Control Act of 1979, effective October 18,
9 1979 (D.C. Law 3-30; D.C. Official Code § 8-1801 *et seq.*) is amended as follows:

10 (a) Section 2 (D.C. Official Code § 1801) is amended by adding a new paragraph (2A) to
11 read as follows:

12 “(2A) The term “common cage bird” means a small bird typically kept in a cage in a
13 home such as a parakeet, parrot, cockatiel, canary, and cockatoo. This term shall not include
14 birds typically kept in a coop such as pigeons, doves, or fowl, including chickens, geese, ducks,
15 guinea fowl, and peafowl.”.

16 (b) A new section 2a is added to read as follows:

17 “Sec. 2a. General authority.

18 “The Mayor may regulate the keeping of dogs, fowls, and other animals in the District of
19 Columbia so as to protect the public health, safety, and welfare; to protect the health, safety, and
20 welfare of dogs, fowls, and other animals; and to protect public and private property. In
21 exercising this authority, the Mayor may, in accordance with section 13a, amend or repeal
22 regulations previously promulgated pursuant to the sixth and seventh paragraphs of section 1 of
23 An act to authorize the Commissioners of the District of Columbia to make police regulations for

1 the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code §
2 1-303.01(5) and (6)), any provision of the Police Regulations applicable to this subject area, and
3 any regulation currently codified in chapter 9 of title 24 the District of Columbia Municipal
4 Regulations.

5 (c) Section 3 (D.C. Official Code § 8-1802) is amended by striking the phrase “Agency;
6 provided, that only a sworn member of the Metropolitan Police Department may serve a notice
7 of violation with respect to §9(a) outside the premises of the animal shelter.” and inserting the
8 phrase “Agency.” in its place.

9 (d) Section 4(a) (D.C. Official Code § 8-1803(a)) is amended to read as follows:

10 “(a) An owner of a dog or a cat over the age of 4 months shall have the dog or cat
11 vaccinated against rabies and distemper.”.

12 (e) Section 5 (D.C. Official Code § 8-1804) is amended as follows:

13 (1) Subsections (b) and (c) are amended to read as follows:

14 “(b) An owner who has a dog or cat over the age of 4 months shall before July 1st of each
15 year, or within 10 days of acquiring the dog or cat, or within 10 days after the dog or cat
16 becomes 4 months of age, obtain an annual license. An owner shall ensure that the dog or cat
17 wears a collar and a license.

18 “(c) Before any annual license may be issued, the owner of the dog or cat shall have the
19 dog or cat vaccinated against rabies and distemper, and shall pay any outstanding fines.”.

20 (2) A new subsection (d-1) is added to read as follows:

21 “(d-1) The annual license fee for a cat shall be \$15 for a male or female cat certified by a
22 licensed veterinarian as neutered or spayed or incapable of enduring neutering or spaying and
23 \$50 for all other cats.”.

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

2 “(g) No license may be transferred from one dog to another or from one cat to another.”.

3 (f) Section 8 (D.C. Official Code § 8-1807) is amended as follows:

4 (1) Subsection (a) is amended by striking the word “dog” in each place it appears
5 and inserting the phrase “dog or cat” in each place.

6 (2) Subsection (b) is amended by striking the word “animal” in each place it
7 appears and inserting the phrase “dog or cat” in each place.

8 (g) Section 9 (D.C. Official Code §8-1808) is amended as follows:

9 (1) Subsection (d) is amended by striking the phrase “a baby chicken, duckling,
10 other fowl or rabbit.” and inserting the phrase “any animal.” in its place.

11 (2) Subsection (f) is repealed.

12 (3) Subsection (g) is amended by striking the phrase “16 weeks or a chick or duck
13 under the age of 8 weeks except for agricultural or scientific purposes.” and inserting the phrase
14 “16 weeks.” in its place.

15 (4) Subsection (h)(1) is amended to read as follows:

16 “(h)(1) Except as provided in this subsection, no person shall import into the District,
17 possess, display, offer for sale, trade, barter, exchange, or adoption, or give as a household pet
18 any living member of the animal kingdom, including those born or raised in captivity, except the
19 following captive-bred animals: domestic dogs (excluding hybrids with wolves, coyotes, or
20 jackals), domestic cats (excluding hybrids with ocelots, margays, caracals, or servals),
21 domesticated rodents and rabbits, common cage birds, nonvenomous snakes of no more than 3
22 feet in length, nonvenomous reptiles that are not crocodilians of no more than 3 feet in length,

1 amphibians of no more than 3 feet in length, fish, turtles, and ferrets. Pigeons and doves may be
2 kept in coops or dovecotes according to permit requirements.”.

3 (5) Subsection (h)(3) is amended by striking the phrase “This section” and
4 inserting the phrase “This subsection” in its place.

5 (6) New subsections (l), (m), and (n) are added to read as follows:

6 “(l) No person shall herd, drive, conduct, or allow to run at large, horses, ponies, mules,
7 goats, sheep, swine, or cattle, or any other large quadruped or bird, singly or in herds, droves, or
8 flocks, in the District of Columbia. This subsection shall not apply to any person who holds a
9 license to operate a horse-drawn carriage and possesses an identification card for the horse
10 drawing the carriage pursuant to section 3 of the Regulation of the Horse-Drawn Carriage Trade
11 Act of 1990, effective March 7, 1991 (D.C. Law 8-224; D.C. Official Code § 8-2002).

12 “(m) No person shall allow animal excrement to remain exposed on private property for
13 more than 24 hours.

14 “(n) No person shall chain, tie, or tether an animal to a fixed or stationary object on
15 public space.”.

16 (h) Section 10 (D.C. Official Code § 8-1809) is amended by striking the phrase “7 or
17 more” and inserting the phrase “5 or more” in each place the phrase appears.

18 (i) Section 12 (D. C. Official Code § 8-1811) is amended as follows:

19 (1) The existing text is designated as subsection (a).

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

21 “(b) A violation of this act shall be a civil infraction for the purposes of Chapter 18 of
22 Title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the act,

1 or the rules issued under authority of the act, pursuant to Chapter 18 of Title 2. Adjudication of
2 any infractions shall be pursuant to Chapter 18 of Title 2.”.

3 (j) Section 13 (D.C. Official Code § 8-1813) is repealed.

4 (k) A new section 13a is added to read as follows:

5 “Sec. 13a. Rules.

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

9 Sec. 5043. Conforming amendments.

10 (a) Section 1(6) and (7) of An act to authorize the Commissioners of the District of
11 Columbia to make police regulations for the government of said District, approved January 26,
12 1887 (24 Stat. 368; D.C. Official Code § 1-303.01(5) and (6)), are repealed.

13 (b) Sections 902 and 906 of Title 24 of the District of Columbia Municipal Regulations
14 (24 DCMR §902), are repealed in their entirety.

15 **SUBTITLE F. MEDICAL MARIJUANA PROGRAM FUND ESTABLISHMENT**

16 Sec. 5051. Short title.

17 This subtitle may be cited as the “Medical Marijuana Program Fund Establishment
18 Amendment Act of 2017”.

19 Sec. 5052. The Legalization of Marijuana for Medical Treatment Initiative of 1998,
20 effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 et seq.), is amended
21 follows:

22 (a) Section 11(b) (D.C. Official Code § 7-1671.10) is repealed.

23 (b) A new section 11b is added to read as follows:

1 “Sec. 11b. Medical Marijuana Program Fund.

2 “(a) There is established as a special fund the Medical Marijuana Program Fund (“Fund”),
3 which shall be administered by the Department of Health in accordance with subsections (c) and
4 (d) of this section.

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

6 “(1) Annual appropriations;

7 “(2) Fees, penalties, and fines collected pursuant to this act; and

8 “(3) The unexpended balance in fund 0641 for the Medical Marijuana Program as
9 of the earlier of September 30, 2017 or the effective date of this act.

10 “(c) Money in the Fund shall be used for non-personnel and personnel costs of
11 administering the Medical Marijuana Program.

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

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

17 **SUBTITLE G. CFSA REPORTING REQUIREMENTS AMENDMENT**

18 Sec. 5061. Short title

19 This subtitle may be cited as the “Child and Family Services Agency Reporting
20 Requirements Amendment Act of 2017”.

21 Sec. 5062. Section 374(b)(3) of the Prevention of Child Abuse and Neglect Act of 1977,
22 effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.74(b)(3)), is

1 amended by striking the phrase “and every January 31st thereafter” and inserting the phrase
2 “and every February 28th thereafter” in its place.

3 Sec. 5063. Section 107 of the Newborn Safe Haven Amendment Act, effective May 27,
4 2010 (D.C. Law 18-158; D.C. Official Code § 4-1451.07) is amended by striking the phrase “on
5 January 1 of each year thereafter” and inserting the phrase “on January 31st of each year
6 thereafter” in its place.

7 Sec. 5064. Section 105 of the Grandparent Caregivers Pilot Program Establishment Act
8 of 2005, effective March 8, 2006 (D.C. Law 16–69; D.C. Official Code § 4–251.05) is amended
9 by striking the phrase “no later than January 1 of each year” and inserting the phrase “no later
10 than February 28th of each year” in its place.

11 Sec. 5065. Section 384(b)(1)(D) of the Prevention of Child Abuse and Neglect Act of
12 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.74(b)(1)(D)),
13 is amended by striking the phrase “and every January 31st thereafter” and inserting the phrase
14 “and every February 28th thereafter” in its place.

15 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**
16 **SUBTITLE A. PRODUCT STEWARDSHIP PROGRAM**

17 Sec. 6001. Short title.

18 This subtitle may be cited as the “Product Stewardship Program Amendment Act of
19 2017.”

20 Sec. 6002. Section 5 of the Paint Stewardship Act of 2014, effective March 11, 2015
21 (D.C. Law 20-205; D.C. Official Code § 8-233.04) is amended by adding a new subsection (f) to
22 read as follows:

23 (b) A new paragraph (f) is added to read as follows:

1 “(f) Permit fees collected pursuant to this section shall be deposited in the Product
2 Stewardship Fund established by section 118a of the Sustainable Solid Waste Management
3 Amendment Act of 2014.”.

4 Sec. 6003. The Sustainable Solid Waste Management Amendment Act of 2014, effective
5 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1041.01 *et seq.*) is amended as
6 follows:

7 (a) Section 118(d) (D.C. Official Code § 8-1041.04) is amended to read as follows:

8 “(d) Fees collected under this section and revenue generated from the enforcement of
9 this Chapter shall be deposited in the Product Stewardship Fund established by section 118a.”.

10 (b) A new section 118a is added to read as follows:

11 “Section 118a. Product Stewardship Fund.

12 “(a) There is established as a special fund the Product Stewardship Fund (“Fund”), which
13 shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

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

15 “(1) The registration and shortfall fees charged under section 118; and

16 “(2) The permit fees collected pursuant to section 5 of the Paint Stewardship Act
17 of 2014, effective March 11, 2015 (D.C. Law 20-205; D.C. Official Code § 8-233.04).

18 “(d) Money in the Fund shall be used for the purposes of supporting and administering
19 product stewardship programs in the District.

20 “(e)(1) The money deposited into the Fund shall not revert to unrestricted fund balance of
21 the General Fund of the District of Columbia at the end of a fiscal year, or any other time.

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

1 **SUBTITLE B. SOLAR FOR ALL PROGRAM EXPANSION**

2 Sec. 6011. Short title.

3 This subtitle may be cited as the “Solar for All Program Expansion Act of 2017.”

4 Sec. 6012. Section 3(b) of the Renewable Portfolio Standard Expansion Amendment Act
5 of 2016, effective October 8, 2016 (D.C. Law 21-154; 63 DCR 12926) is amended by striking
6 the phrase “reduce by at least 50% the electric bills of at least 100,000 of the District’s low-
7 income households with high energy burdens by December 31, 2032” and inserting the phrase
8 “provide the benefits of solar energy to at least 100,000 of the District’s low-income individuals
9 by December 31, 2032.” in its place.

10 **SUBTITLE C. LIHEAP HEAT AND EAT PROGRAM**

11 Sec. 6021. Short title.

12 This subtitle may be cited as the “LIHEAP Heat and Eat Amendment Act of 2017.”

13 Sec. 6022. Section 5083(b) of the Food Stamp Expansion Act of 2009, effective March 3,
14 2010 (D.C. Law 18-111; D.C. Official Code § 4-261.03(b)), is amended by striking the phrase “shall
15 be automatically enrolled in the LIHEAP Heat and Eat initiative” and inserting the phrase “who will
16 qualify for the maximum standard utility allowance as a result of a LIHEAP benefit shall be
17 automatically enrolled in the LIHEAP Heat and Eat initiative.” in its place.

18 **SUBTITLE D. AIR QUALITY CONSTRUCTION PERMIT FUND**

19 Sec. 6031. This subtitle may be cited as the “Air Quality Program Amendment Act of 2017.”

20 Sec. 6032. The District of Columbia Air Pollution Control Act of 1984, effective March
21 15, 1985 (D.C. Law 5–165; D.C. Official Code § 8-101.01 *et seq.*), is amended by adding a new
22 section 5i to read as follows:

23 “Sec. 5i. Air Quality Construction Permits Fund.

1 “(a) There is established as a special fund, the Air Quality Construction Permits Fund
2 (“Fund”), which shall be administered by the Director of the Department of Energy and
3 Environment in accordance with subsections (c) and (d) of this section.

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

5 “(1) Fees collected pursuant to this act; and

6 “(2) Revenue generated by enforcement of this act.

7 “(c) Money in the Fund shall be used to support and administer the air quality programs
8 of the Department of Energy and Environment.

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

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

14 **SUBTITLE E. SOIL EROSION AND SEDIMENT CONTROL FUND**

15 Sec. 6041. This subtitle may be cited as the “Soil Erosion and Sediment Control Program
16 Amendment Act of 2017.”

17 Sec. 6042. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law
18 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10c as
19 follows:

20 “Sec. 10c. Soil Erosion and Sediment Control Fund.

21 “(a) There is established as a special fund the Soil Erosion and Sediment Control Fund,
22 which shall be administered by the Director of the Department of Energy and Environment in
23 accordance with subsections (c) and (d) of this section.

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

2 “(1) Fees collected under this act from the Department of Energy and
3 Environment’s review of construction and grading plans for erosion and sediment control;

4 “(2) Other revenue generated from the Department of Energy and Environment’s
5 review of construction and grading plans for erosion and sediment control.

6 “(c) Money in the Fund shall be used for the purposes of supporting and administering
7 the soil erosion and sediment control programs of the Department of Energy and Environment.

8 “(d)(1) The money deposited into the Fund shall not revert to the General Fund of the
9 District of Columbia at the end of a fiscal year, or at any other time.

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

12 **SUBTITLE F. STORMWATER MANAGEMENT PROGRAM FUND**

13 Sec. 6051. This subtitle may be cited as the “Stormwater Management Program Amendment
14 Act of 2017.”

15 Sec. 6052. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law
16 5-188; D.C. Official Code§ 8-103.01 *et seq.*), is amended by adding a new section 10d as
17 follows:

18 “Sec. 10d. Stormwater Fees Fund.

19 “(a) There is established as a special fund the Stormwater Fees Fund, which shall be
20 administered by the Director of the Department of Energy and Environment in accordance with
21 subsections (c) and (d) of this act.

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

1 “(1) Fees collected under this act from the Department of Energy and
2 Environment’s review of construction and grading plans for stormwater management;

3 “(2) Other revenue generated from the Department of Energy and Environment’s
4 review of construction and grading plans for stormwater management.

5 “(c) Money in the Fund shall be used for the purposes of supporting and administering
6 the stormwater management programs of the Department of Energy and Environment.

7 “(d)(1) The money deposited into the Fund shall not revert to the General Fund of the
8 District of Columbia at the end of a fiscal year, or at any other time.

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

11 Sec. 6053. The money deposited into the Stormwater Fees Fund during Fiscal Year 2017
12 shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at
13 any other time.

14 **SUBTITLE G. WETLAND FUND**

15 Sec. 6061. Short title.

16 This subtitle may be cited as the “Wetland Fund Amendment Act of 2017.”

17 Sec. 6062. Section 10(d)(1) of the Water Pollution Control Act of 1984, effective March 16,
18 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.09(d)(1)), is amended by striking the phrase
19 “Excluding monies collected in the current year, any money deposited in the Wetland Fund in the year
20 prior to the current year and the interest earned on that money remaining in the Fund after the payment
21 of the costs accrued in the prior year, less 10% of the remainder amount that shall be retained as a
22 reserve operating balance, shall be transferred or revert to the General Fund of the District of
23 Columbia” and inserting the phrase “The money deposited into the Fund shall not revert to the

1 General Fund of the District of Columbia at the end of a fiscal year, or at any other time. Subject to
2 authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be
3 continually available without regard to fiscal year limitation” in its place.

4 **SUBTITLE H. PRIVATE SPONSORSHIP OF DC CIRCULATOR AND**
5 **STREETCAR AMENDMENT**

6 Sec. 6071. Short title.

7 This subtitle may be cited as the “Private Sponsorship of DC Circulator and Streetcar
8 Amendment Act of 2017”.

9 Sec. 6072. The Department of Transportation Establishment Act of 2002, effective May
10 21, 2002 (D.C. Law 14–137; D.C. Official Code §§ 50–921.01 et seq.), is amended as follows:

11 (a) Section 5(a)(3)(H) (D.C. Official Code § 50-921.04(a)(3)(H)) is amended by
12 striking the phrase “Enter into agreements” in the lead-in language and inserting the phrase,
13 “Notwithstanding DC Code §§ 50-921.32 and 921.72, enter into agreements” in its place.

14 (b) Section 11b (D.C. Official Code § 50-921.32) is amended by adding a new
15 paragraph (4) to read as follows:

16 “(4) Enter into agreements to allow the private sponsorship of vehicles, equipment,
17 and facilities used in the DC Circulator program, and the placement of a corporate logo, slogan,
18 or other indicia of sponsorship on the vehicles or facilities, and on related websites and social
19 media.”.

20 (c) Section 11n (D.C. Official Code § 50-921.72) is amended by adding a new
21 paragraph (5) to read as follows:

22 “(5) Enter into agreements to allow the private sponsorship of vehicles, equipment, and
23 facilities used in the DC Streetcar program, and the placement of a corporate logo, slogan, or

1 other indicia of sponsorship on the vehicles or facilities, and on related websites and social
2 media.”.

3 **SUBTITLE I. DMV AUTOMATED TRAFFIC ENFORCEMENT SYSTEM FUND**
4 **ESTABLISHMENT**

5 Sec. 6081. Short title.

6 This subtitle may be cited as the “Automated Traffic Enforcement System Fund
7 Establishment Act of 2017”.

8 Sec. 6082. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April
9 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 et seq.), is amended by adding a
10 new sections 905 and 906 to read as follows:

11 “Sec. 905. Automated Traffic Enforcement Fund.

12 “(a) There is established as a special fund the Automated Traffic Enforcement Fund
13 (“Fund”), which shall be administered by the Department of Motor Vehicles in accordance with
14 subsections (c) and (d) of this section.

15 (b) A portion of the revenue generated by of the fines and associated fees paid as a
16 result of violation of traffic safety laws detected by the automated traffic enforcement (“system”)
17 shall be deposited in the Fund. The portion of the fines and associated fees that shall be
18 deposited into the Fund shall be established using the following formula:

19
$$[(\text{number of tickets issued}) \times (\text{ticket processing fee})] + [(\text{number of warning tickets}$$

20
$$\text{issued}) \times (\text{warning ticket processing fee})] + [(\text{number of tickets issued}) \times (\text{postage})] + [(\text{number}$$

21
$$\text{of tickets issued}) \times (\text{credit card merchant fee})] + [(\text{number of tickets issued}) \times (\text{adjudication}$$

22
$$\text{cost})] + [\text{flat rate project management and information technology support staff fee}] + [(\text{number}$$

of tickets issued) x (cashier in-person fee)] + [flat rate programming fee] + [flat rate handheld ticket stock fee]

(c) Money in the Fund shall be used to fund the services used to maintain the system that includes ticket processing, adjudication costs, hearing examiners and support staff, information technology support staff, and credit card merchant fees.

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

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

“Sec. 906. Short title.” This title may be cited as the “Traffic Safety and Automated Enforcement Act of 1996”.

SUBTITLE J. MOVING VIOLATION ENFORCEMENT FUND ESTABLISHMENT

Sec. 6091. Short title.

This subtitle may be cited as the “Moving Violation Enforcement Fund Establishment Act of 2017”.

Sec. 6092. Moving Violation Enforcement Fund.

(a) There is established as a special fund the Moving Violation Enforcement Fund (“Fund”), which shall be administered by the Department of Motor Vehicles in accordance with subsections (c) and (d) of this section..

(b) A portion of the revenue generated by the fines and associated fees paid as a result of moving infractions (“enforcement”) shall be deposited into the Fund. The portion of

1 the fines and associated fees that shall be deposited into the Fund shall be determined using the
2 following formula: [(number of tickets issued) x (ticket processing fee)] + [(number of tickets
3 issued) x (postage)] + [(number of tickets issued) x (credit card merchant fee)] + [(number of
4 tickets issued) x (adjudication cost)] + [flat rate project management and information technology
5 support staff fee] + [(number of tickets issued) x (cashier in-person fee)] + [flat rate
6 programming fee] + [flat rate handheld ticket stock fee]

7 (c) Money in the Fund shall be used to fund the services used to maintain
8 enforcement that includes ticket processing, adjudication costs, hearing examiners and support
9 staff, information support staff, and credit card merchant fees.

10 (d) All money deposited into the Fund shall not revert to the unrestricted fund balance of
11 the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

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

14 **SUBTITLE K. PARKING, STANDING, STOPPING AND PEDESTRIAN**
15 **VIOLATION ENFORCEMENT FUND ESTABLISHMENT**

16 Sec. 6101. This subtitle may be cited as the “Parking, Standing, Stopping and Pedestrian
17 Violation Enforcement Fund Establishment Act of 2017”.

18 Sec. 6102. Parking, Standing, Stopping and Pedestrian Violation Enforcement Fund .

19 (a) There is established as a special fund the Parking, Standing, Stopping and Pedestrian
20 Violation Enforcement Fund (“Fund”) (which may be referred to as the Non-Moving Violation
21 Enforcement Fund), which shall be administered by the Department of Motor Vehicles
22 (“Department”) in accordance with subsections (c) and (d) of this section.

(b) A portion of the revenue generated by the fines and associated fees paid as a result of parking, standing, stopping and pedestrian infractions shall be deposited in the Fund. The portion of the fines and associated fees that shall be deposited into the Fund shall be established using the following formula: [(number of tickets issued) x (ticket processing fee)] + [(number of tickets issued) x (postage)] + [(number of tickets issued) x (credit card merchant fee)] + [(number of tickets issued) x (adjudication cost)] + [flat rate project management and IT support staff fee] + [(number of tickets issued) x (cashier in-person fee)] + [flat rate programming fee] + [flat rate handheld ticket stock fee]

(c) Money in the Fund shall be used to fund the services used to maintain enforcement that includes ticket processing, adjudication costs, hearing examiners and support staff, information technology support staff, and credit card merchant fees.

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

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

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the “Subject to Appropriations Amendment Act of 2017”.

Sec. 7002. Section 18 of the Death with Dignity Act of 2016, effective February 18, 2017 (D.C. Law 21-182; 64 DCR 2691), is repealed.

1 Sec. 7003. Section 3(a)(2), (b), and (c) of the Metro Safety Commission Interstate
2 Compact Establishment Act of 2016, enacted February 10, 2017, projected to be effective April
3 7, 2017 (D.C. Act 21-666; 64 DCR 1635), is repealed.

4 Sec. 7004. Section 301 of the District of Columbia State Athletics Consolidation Act of
5 2016, enacted February 15, 2017, projected to be effective April 7, 2017 (D.C. Act 21-681; 64
6 DCR 2110), is repealed.

7 Sec. 7005. Section 4 of the Medical Marijuana Omnibus Amendment Act of 2016,
8 effective February 18, 2017 (D.C. Law 21-209; 64 DCR 2718), is repealed.

9 Sec. 7006. Section 4 of the Department of Consumer and Regulatory Affairs Community
10 Partnership Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-213; 64 DCR
11 2722), is repealed.

12 Sec. 7007. Section 4 of the Fair Credit in Employment Amendment Act of 2016, enacted
13 February 15, 2017, projected to be effective April 7, 2017 (D.C. Act 21-673; 64 DCR 2045), is
14 repealed.

15 Sec. 7008. Section 901 of the Bicycle and Pedestrian Safety Amendment Act of 2016,
16 effective October 8, 2016 (D.C. Law 21-155; 63 DCR 12927), is repealed.

17 Sec. 7009. Section 4 of the Youth Suicide Prevention and School Climate Survey
18 Amendment Act of 2016, effective June 17, 2016 (D.C. Law 21-120; 63 DCR 10565), is repealed.

19 Sec. 7010. Section 3 of the Continuing Care Retirement Community Exemption
20 Amendment Act of 2016, enacted January 26, 2017, projected to be effective April 28, 2017
21 (D.C. Act 21-649; 64 DCR 951), is repealed.

22 Sec. 7011. Section 3 of the Carcinogenic Flame Retardant Prohibition Amendment Act of
23 2016, effective May 12, 2016 (D.C. Law 21-108; 63 DCR 363), is repealed.

1 Sec. 7012. Section 4 of the Health-Care Decisions Amendment Act of 2015, effective
2 February 27, 2016 (D.C. Law 21-72; 63 DCR 3935), is repealed.

3 Sec. 7013. Section 18 of the Building Service Employees Minimum Work Week Act of
4 2016, effective October 8, 2016 (D.C. Law 21-157; 63 DCR 12929), is repealed.

5 **SUBTITLE B. PRIOR BUDGET ACT AMENDMENTS**

6 Sec. 7011. Short title

7 This subtitle may be cited as the “Prior Budget Act Amendments of 2017”.

8 Sec. 7012. The Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016
9 (D.C. Law 21-160; 63 DCR 12932), is amended as follows:

10 (a) Section 7022(c) is amended to read as follows:

11 “Section 6193 is repealed”.

12 Sec. 7013. The lead-in language of section 1042 of the Fiscal Year 2016 Budget Support
13 Act of 2015, effective October 22, 2015 (D.C. Law 21-36, 62 DCR 10905), is amended as
14 follows:

15 (a) Strike the phrase “shall submit quarterly reports” and insert the phrase “shall submit
16 bi-annual reports” in its place.

17 (b) Strike the phrase “within 30 days after the end of each quarter, beginning October 1,
18 2015” and insert the phrase “within 30 days after the end of the 2nd and 4th quarters of each
19 fiscal year, beginning October 1, 2017” in its place.

20 **SUBTITLE C. OUR LADY OF PERPETUAL HELP REAL PROPERTY TAX**
21 **FORGIVENESS**

22 Sec. 7021. Short title.

1 This subtitle may be cited as the “Our Lady of Perpetual Help Equitable Real Property
2 Tax Relief Act of 2017”.

3 Sec. 7022. The Council of the District of Columbia orders that all unpaid real property
4 taxes, interest, penalties, fees and other related charges assessed through February 1, 2017
5 against the real property known as Parcel 226, Lot 37, be forgiven.

6 **SUBTITLE D. INTERNATIONAL SPY MUSEUM TAX ABATEMENT**

7 Sec. 7031. Short title.

8 This subtitle may be cited as the “International Spy Museum Tax Abatement Act of
9 2017.”

10 Sec.7032. Chapter 46 of Title 47 of the District of Columbia Code is amended as follows:

11 (a) The Table of contents is amended by adding a new section designation to read as
12 follows:

13 “47-46___. The International Spy Museum, Lot 7006, Square 387.

14 (b) A new section 47-46___ is added to read as follows:

15 “47-46___. The International Spy Museum, Lot 7006, Square 387.

16 “(a) Except as provided in subsection (b), the tax imposed by chapter 8 of this title on the
17 real property (and any improvements thereon) described for assessment and taxation purposes as
18 Lot 7006 in Square 387 (herein after referred to as the “Property”), currently owned by the
19 International Spy Museum, shall be abated as follows:;

20 “(1) Real property taxes imposed on the Property for the real property tax year
21 commencing October 1, 2016 shall be abated in the amount of \$30,000;

22 “(2) Real property taxes imposed on the Property for the real property tax year
23 commencing October 1, 2017 shall be abated to the extent that they exceed \$115,000;

1 “(3) Beginning with the real property tax year commencing October 1, 2018
2 through the real property tax year ending September 30, 2021, annual real property taxes
3 on the Property shall be abated to the extent that they exceed \$200,000 per year; and

4 “(4) Beginning with the real property tax year commencing October 1, 2021, all
5 real property taxes on the Property shall be abated.

6 “(b) The abatement provided under subsection (a) shall terminate at the beginning of the
7 month following the date on which:

8 “(1) the Property is no longer being developed or used as a museum of the history
9 of espionage, including other ancillary uses related thereto, that is open to the public
10 generally; or

11 “(2) The International Spy Museum, or a successor owner of the Property, is no
12 longer exempt from District of Columbia income and franchise taxation under subchapter
13 II of chapter 18 of this title.

14 “(c) The Property and its owner shall be subject to the provisions of §§ 47-1005, 47-1007
15 and 47-1009 as if the Property had been administratively exempted from real property taxation
16 under chapter 10 of this title.

17 “(d) The abatement provided by subsection (a) for any real property tax year may be
18 allocated between half tax years at the discretion of the Office of Tax and Revenue.

19 “(e) The abatement provided under this section shall be in addition to, and not in lieu of,
20 any other tax relief or assistance from any other source applicable to the Property, provided,
21 however, that no appeal of the Property’s proposed assessed value for tax years 2017 through
22 2021 shall be allowed and no claim for refund of real property tax paid for real property tax years

2016 through 2021 shall be allowed, except that the Property owner may seek enforcement of the abatement provided by this section.

SUBTITLE E. REVISED REVENUE CONTINGENCY LIST

Sec. 7041. Short title.

This subtitle may be cited as the “Revised Revenue Contingency List Act of 2017”.

Sec. 7042. (a) If the Chief Financial Officer of the District of Columbia certifies increased local funds in the June 2017 and September 2017 revenue estimates, these additional revenues shall be allocated equally into the Workforce Investments account and the Non-Departmental account.

(b) The allocation to Workforce Investments account shall be available to fund costs to be incurred to pay for salary increases or other items required by the terms of collective bargaining agreements that will become effective in fiscal year 2018.

(c) The allocation to the Non-Departmental account shall be available to replace federal funds that the District included in its Fiscal Year 2018 Local Budget Act of 2017 and the Fiscal Year 2018 Federal Portion Budget Act of 2017 but which will not be available because they are not included in a Congressionally enacted fiscal year 2018 appropriations act.

SUBTITLE F. SUPERMARKET TAX INCENTIVES CLARIFICATION

Section 7051. Short title.

This subtitle may be cited as the “Supermarket Tax Incentives Clarification Act of 2017”

Sec. 7052. Section 47-3801(1D) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (A) is amended by striking the word “or” at the end.

(b) Subparagraph (B) is amended by striking the period at the end and inserting the phrase “; or” in its place.

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

“(C) Square 2960.”

TITLE VIII. CAPITAL BUDGET

SUBTITLE A. FISCAL YEAR 2018 CAPITAL PROJECT FINANCING

REALLOCATION APPROVAL

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2018 Capital Project Reallocation Approval Act of 2017".

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$62,442,212 in general obligation bond proceeds from District capital projects listed in Table A to the District capital projects, in the amounts specified, listed in Table B.

(b) The current allocations were made pursuant to the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (R19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (R19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2013, effective November 5, 2013 (R20-321; 60 DCR 15794), the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 18, 2015 (R20-687; 61 DCR 12738), and the Fiscal Year 2017 Income Tax

Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax
 Secured Revenue Bond Anticipation Note Issuance Approval Resolution of 2016, effective
 November 1, 2016 (R21-635; 63 DCR 14387).

TABLE A.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
Department of General Services	BC4	DGS	Hill E Relocation of Government Fac. & Function	2014C G.O.	500,000
Department of General Services	PL4	DGS	Electronic Security Communications Standardization	2016A G.O.	2,000,000
Office on Aging	A05	DGS	Senior Centers	2016A G.O.	6,451
D.C. Public Library	ITM	DCPL	DCPL Information Technology Modernization	2016A G.O.	253,015
Deputy Mayor for Planning and Economic Development	AWR	DMPED	Saint Elizabeths E Campus Infrastructure	2014C G.O.	4,852,856
Deputy Mayor for Planning and Economic Development	EDP	DMPED	Economic Development Pool	2014C G.O.	51,869
Metropolitan Police Department	PEQ	MPD	Specialized Vehicles - MPD	2016A G.O.	1,758,961
Department of Corrections	CR1	DGS	General Renovations - DC Jail	2014C G.O.	1,643,027
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2014C G.O.	464,841
D.C. Public Schools	JOH	DGS	Johnson Middle School Renovation/Modernization	2015A G.O.	4,320,962
D.C. Public Schools	NX3	DGS	Cardozo High School	2016A G.O.	3
Office of the State Superintendent of Education	SFF	DGS	Evans Campus	2012C I.T.	2,000,000
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2014C G.O.	152,746
Department of Parks and Recreation	URA	DGS	Urban Agriculture - DPR	2016A G.O.	250,000
Department of Parks and Recreation	SQ2	DGS	Square 238 DPR Facility	2016A G.O.	500,000
Department of Parks and Recreation	WBR	DGS	Edgewood Recreation Center	2016A G.O.	11,000,000
Department of Parks and Recreation	WD3	DGS	Hearst Park Pool - Ward 3 Outdoor Pool	2016A G.O.	500,000
Department of Parks and Recreation	THP	DGS	Therapeutic Recreation Center	2016A G.O.	500,000
Department of Healthcare Finance	AP1	DHCF	Predictive Analytic System - I.T. DHCF	2016A G.O.	125,000
Department of Healthcare Finance	CM1	DHCF	Case Management System - DHCF	2016A G.O.	125,000
District Department of Transportation	CG3	DDOT	Local Roadside Improvements	2016A G.O.	5,432,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2014C G.O.	466,108
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2015A G.O.	500,000
District Department of Transportation	ED3	DDOT	Local Street Parking Studies	2016A G.O.	533,892
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2015A G.O.	1,331,583
District Department of Transportation	EDS	DDOT	Great Streets Initiatives	2016A G.O.	1,574,147
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2015A G.O.	315,762
District Department of Transportation	PM0	DDOT	Materials Testing Lab	2016A G.O.	684,238
District Department of Transportation	PM3	DDOT	Planning and Management System	2014C G.O.	429,393
District Department of Transportation	SR0	DDOT	Streetscapes	2016A G.O.	1,000,000
District Department of Transportation	CIR	DDOT	Circulator	2015A G.O.	4,307,439
District Department of Transportation	CIR	DDOT	Circulator	2016A G.O.	1,692,561
District Department of Transportation	FLD	DDOT	Prevention of Flooding in Bloomingdale/Ledroit Park Neighborhoods	2016A G.O.	1,592,000
District Department of Transportation	TRL	DDOT	Trails	2014C G.O.	420,714
District Department of Transportation	TRL	DDOT	Trails	2015A G.O.	500,000
District Department of Transportation	TRL	DDOT	Trails	2016A G.O.	1,079,286
District Department of Transportation	TRF	DDOT	Traffic Operations Center	2015A G.O.	500,000
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2014C G.O.	664,745
District Department of Transportation	CE3	DDOT	Street Restoration & Rehabilitation	2016A G.O.	1,335,255
Department of Energy and Environment	SWM	DOEE	Stormwater Management	2016A G.O.	1,000,000
Department of Energy and Environment	SUS	DOEE	Sustainable DC Fund-2	2014C G.O.	1,157,257
Department of Behavioral Health	XA6	DBH	Avatar Upgrade	2016D G.O.	169,704
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2014C G.O.	176,640
Office of the Chief Technology Officer	ZA1	OCTO	DC GIS Capital Investment	2015A G.O.	300,000
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2015A G.O.	159,921
Office of the Chief Technology Officer	N31	OCTO	Data Management and Publication Platform	2016A G.O.	1,608,954
Office of the Chief Technology Officer	N38	OCTO	Procurement System - GO Bond	2016D G.O.	2,155,882
Office of the Chief Technology Officer	N93	OCTO	Enterprise Computing Device Management	2016A G.O.	350,000
TOTAL					\$62,442,212

1

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Project Title	Bond Issuance Series	Amount
District of Columbia Public Schools	YYI	DGS	DC Public Schools Modernization/Renovations	N/A	62,442,212
TOTAL					\$62,442,212

2

3

4

SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION

5

Sec. 8011. Short title.

6

This subtitle may be cited as the “Capital Project Review and Reconciliation Amendment

7

Act of 2017”.

8

Sec. 8012. The Capital Project Support Fund Establishment Act of 2009, effective March

9

3, 2010 (D.C. Law 18-111; D.C. Official Code § 1-325.151 *et seq.*), is amended as follows:

10

(a) Section 1261(D.C. Official Code § 1-325.151) is amended by adding new paragraphs

11

(4A) and (7A) to read as follows:

12

“(4A) “Encumbered funds” means funds that have been committed for the

13

payment of goods or services ordered but not yet received.

14

“(7A) “Pre-encumbered funds” means funds that are not legally committed but

15

are being held with the intent of entering into a contract or agreement for goods or services not

16

yet ordered.”.

17

(b) Section 1262(b) (D.C. Official Code § 1-325.152(b)) is amended by striking the

18

phrase “sections 1263a, and 1263b” and inserting the phrase “sections 1263a, 1263b, and

19

1263c” in its place.

20

(c) Section 1263b(a) (D.C. Official Code § 1-325.153b(a)) is amended to read as

21

follows:

1 “(a) If a department, office, or agency has a capital project with an unexpended balance
2 of more than \$250,000 for which no funds have been expended, encumbered, or pre-encumbered
3 for 2 consecutive years, the OCFO shall provide 30 days written notice to the department, office,
4 or agency of the CFO’s intent to transfer the surplus capital funds to the Capital Project Support
5 Fund. The CFO shall make this transfer unless the department, office, or agency to which the
6 funds have been budgeted or allotted:

7 “(1) Certifies to the Mayor, Council, and CFO, within the 30-day notice period
8 that it intends to use the funds to implement the capital project within 18 months of the
9 certification; and

10 “(2) Submits a satisfactory activity report to the OCFO describing the status of the
11 implementation within 180 days from the date of certification.”.

12 (d) A new section 1263c is added to read as follows:.

13 “Sec. 1263c. Release of encumbered or pre-encumbered funds; transfer of surplus capital
14 funds.

15 “(a) If a department, office, or agency has a capital project with \$250,000 or less in
16 encumbered or pre-encumbered funds that have been in an encumbered or pre-encumbered status
17 for 2 consecutive years, the OCFO shall provide written notice to the department, office, or
18 agency of the OCFO’s identification of such funds.

19 “(b) Within 30 days of receipt on this notice, the department, office, or agency to which
20 the funds have been budgeted or allotted shall:

21 “(1) Notify the OCFO in writing of its intent to expend the funds and provide a
22 spending plan for the funds; or

23 “(2) Release the funds.”.

1 (e) Section 1265 (D.C. Official Code § 1-325.155) is amended as follows:

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

3 “(2) For a capital project with a balance of more than \$250,000, no funds have
4 been expended, encumbered, or pre-encumbered, for 2 consecutive years and the agency has not
5 complied with the requirements of section 1263b(a)(1) and (2) after receiving a notice from the
6 OCFO pursuant to that section.”.

7 (2) Paragraph (a)(3) is amended by striking the number “3” and inserting the
8 number “2” in its place.

9 **SUBTITLE C. ANTI-DEFICIENCY AMENDMENT FOR CAPITAL PROJECTS**

10 Sec. 8021. Short title.

11 This subtitle may be cited as the “Anti-Deficiency Act Clarification Amendment Act of
12 2017”.

13 Sec. 8022. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as
14 follow:

15 (a) Section 47-355.02(8) is amended by striking the phrase “regardless of percentage,”
16 and inserting the phrase “regardless of percentage, or, for capital projects, 5% of the project’s
17 budget or \$ 1 million, regardless of the percentage.”.

18 (b) Section 47-355.04 is amended as follows:

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

20 (A) Strike the phrase “budget submitted to Congress” and insert the phrase
21 “finally enacted annual budget” in its place.

22 (B) Strike the phrase “after Congressional submission” and insert the
23 phrase “final enactment” in its place.

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

1 “(a-1) By October 20th of each year, each agency head and agency fiscal officer shall jointly
2 submit to the Chief Financial Officer a monthly spending plan for each capital project based on the
3 budget submitted to Congress. If a project’s budget is changed after final enactment of the budget, the
4 agency head and agency fiscal officer shall submit a revised project spending plan to the Chief Financial
5 Officer within one month of final approval of the project’s budget.”.

6 (3) Subsection (b) is amended by striking the phrase “approved operating budget” and
7 inserting the phrase “approved operating budget or approved budget for a capital project” in its place.

8 (c) Section 47-355.05 is amended as follows:

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

10 “(a) The Chief Financial Officer shall submit reports to the Council and the Mayor on a
11 quarterly basis indicating each agency's actual operating expenditures, obligations, and
12 commitments, each by source of funds, and the expenditures for each capital project, compared
13 to their approved spending plans. This report shall be accompanied by the CFO's observations
14 regarding spending patterns and steps being taken to assure spending remains within the
15 approved budget.”.

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

17 “(2)(A) The summary shall set forth clearly and concisely each budget category affected
18 by the reprogramming, intra-District transfer, or other budget modification, as described in paragraph (1)
19 of this subsection, as follows:

20 “(i) For the operating budget, by:

21 “(I) Agency;

22 “(II) Object category; and

23 “(III) Comptroller source group; and

24 “(ii) For capital projects, by:

25 “(I) Agency; and

1 “(II) Project and subproject.”

2
3
4 **SUBTITLE D. DDOT DIRECTOR LOCAL STREETS PROJECTS**

5 **CLARIFICATION**

6 Sec. 8031. Short title.

7 This subtitle may be cited as the “DDOT Director Local Streets Projects Clarification Act
8 of 2017”.

9 Sec. 8032. Section 3(e) of the Department of Transportation Establishment Act of 2002,
10 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(e)) is amended as
11 follows:

12 (a) Paragraph (1) of this subsection is amended by adding the phrase “or from the Master
13 local streets projects created and recognized as such in fiscal year 2018 or later” after the phrase
14 “established under section 102 of the Highway Trust Fund Establishment Act of 1996, effective
15 April 9, 1997 (D.C. Law 11-184; D.C. Official Code § 9-111.01).” .

16 (b) Paragraph (2) of this subsection is amended to read as follows:

17 “The Director may submit requests to the Office of Budget and Planning of the
18 Office of the Chief Financial Officer (“OBP”) to allocate funds for the Related Projects, as
19 submitted annually by DDOT through the approved Transportation Improvement Program as
20 part of the budget request for each capital project created in fiscal year 2012 or later funded from
21 the District of Columbia Highway Trust Fund. The Director may also submit requests to allocate
22 to the Related Projects of each Master local streets project created in fiscal year 2018 or later.
23 The Director, following allocation of funds by OBP to Related Projects, shall have the authority
24 to obligate and spend the funds.”

1 (c) Paragraph 3 of this subsection is amended to read as follows:

2 “(3) The Director may submit requests to OBP to re-allocate funds from any
3 Related Project to the applicable capital project created in Fiscal Year 2012 or later funded from
4 the District of Columbia Highway Trust Fund. The Director may also submit requests to allocate
5 from any Related Project to the applicable capital Master local streets project created in fiscal
6 year 2018 or later. The Director, following re-allocation of funds by OBP from a Related Project
7 to its applicable capital project, shall have the authority to submit requests to OBP to allocate
8 these funds to another Related Project.

9 (d) A new paragraph (4) is added to read as follows:

10 “(4) The Director may request OBP to re-allocate any available fund balances in
11 associated projects to the respective new Master local streets projects established pursuant to
12 section 102 to align the associated projects with the Master local streets projects. This paragraph
13 shall expire on January 31, 2018.”

14 **SUBTITLE E. DC HIGHWAY TRUST FUND CLARIFICATION**

15 Sec. 8041. Short title.

16 This subtitle may be cited as the “District of Columbia Highway Trust Fund Clarification
17 Act of 2017”.

18 Sec. 8042. The Highway Trust Fund Establishment Act of 1996, effective April 9, 1997
19 (D.C. Law 11-184; D.C. Official Code § 9-111.01 *et. seq.*), is amended as follows:

20 (a) Section 102(d) (D.C. Official Code § 9-111.01(d)) is amended as follows:

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

22 “(2) After the requirements of section 3 of the District of Columbia Emergency Highway
23 Relief Act, approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02) have been

1 met, the monies in the Fund may be used to comply with the local match needed for the Federal
2 Transit Administration (FTA) formula grants.”

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

4 “(3) As of October 1, 2011, all monies in the Fund designated to be used to comply with
5 the requirements of section 3 of the District of Columbia Emergency Highway Relief Act,
6 approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02) shall not exceed 22% of
7 the proposed total of the annual federal-aid highway project planned expenditures and the
8 Federal Transit Administration grants planned expenditures.

9 (b) Section 102(e) (D.C. Official Code § 9-111.01(e)) is amended as follows:

10 (1) Paragraph (1) is amended by striking the phrase “§ 9-109.02” and inserting the phrase
11 “subsection (d) of this section” in its place.

12 (2) Paragraph (2) is amended by adding the phrase “and the expenses referenced in
13 subsection (d) of this section,” after the phrase “issued pursuant to section 3 of the District of
14 Columbia Emergency Highway Relief Act, approved August 4, 1995 (109 Stat. 257; D.C.
15 Official Code § 9-109.02).”.

16 **SUBTITLE F. REVERSE PAYGO REPROGRAMMING CLARIFICATION**

17 Sec. 8051. Short title.

18 This subtitle may be cited as the “Reverse Paygo Reprogramming Clarification Act of
19 2017.”

20 Sec. 8052. Chapter 3 of Title 47 of the District of Columbia Code is amended as follows:

21 (1) Section 47-361 is amended as follows:

22 (a) A new subsection (15) is added to read as follows:

1 “(15) “Reverse Paygo” means the movement of authorized Paygo capital budget
2 back to the operating budget.

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

5 **SUBTITLE A. DESIGNATED FUND TRANSFERS**

6 Sec. 9011. Short title.

7 This subtitle may be cited as the “Designated Fund Transfer Act of 2017”.

8 Sec. 9012. Notwithstanding any provision of law limiting the use of funds in the accounts
9 listed in the following chart, the Chief Financial Officer shall transfer the identified amounts
10 from certified fund balances in those accounts to the General Fund as described below:

11 (a) \$13,000,000 shall be made available in fiscal year 2017;

12 (b) \$35,777,018 shall be made available in fiscal year 2018;

13 (c) \$28,160,508 million shall be made available in fiscal year 2019;

Fund Balance ~ Overview

Code	Agency	Fund Name	Proposed Sweep
Fixed Cost Commodity Reserve:			
		Commodities Cost Reserve Fund	5,000,000
		Total	5,000,000
Dedicated Taxes:			
HT0	DHCF	Healthy DC Fund	11,589,623
		Total	11,589,623
Other Special Purposes:			
AT0	OCFO	Recorder of Deeds Surcharge	920,173
CB0	OAG	Litigation Support	617,179
CR0	DCRA	Real Estate Appraisal	1,578,354
CR0	DCRA	OPLA - Special Account	288,657
CR0	DCRA	Board of Engineers Fund	643,180
CR0	DCRA	Green Building Fund	218,771
CR0	DCRA	Corporate Recordation Fund	1,572,054
CR0	DCRA	Vending Regulations Fund	149,674
DB0	DHCD	Unified Fund	765,545
EB0	DMPED	Industrial Revenue Bond Program	1,893,807
EB0	DMPED	AWC & NCRC Development (Ed Special Acct)	1,106,193
GD0	OSSE	Student Residency Verification Fund	300,000
HC0	DOH	SHPDA Fees	192,000
JA0	DHS	SSI Payback	500,000
KA0	DDOT	DDOT Enterprise Fund-Non Tax Revenues	825,298
KE0	WMATA	WMATA Operations Fund	48,777,018
		Total	60,347,903
1	TOTAL		76,937,526

2 Sec. 9044. Applicability date.

3 This subtitle shall apply as of September 30, 2017.

4 **TITLE X. FISCAL IMPACT AND EFFECTIVE DATE**

5 Sec. 1001. Fiscal impact statement.

6 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
7 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
8 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

9 Sec. 1002. Effective date.

1 This act shall take effect following approval by the Mayor (or in the event of veto by the
2 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
3 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973
4 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia
5 Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

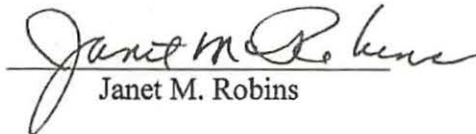
TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: April 4, 2017

SUBJECT: Legal Sufficiency Review of Proposed Bill, the "Fiscal Year 2018 Budget Support Act of 2017"
(AE-17-202 A through OOO)

This is to Certify that this Office has reviewed the above-referenced legislation and has found it to be legally sufficient. If you have any questions regarding this certification, please do not hesitate to contact me at 724-5524.


Janet M. Robins

JMR/jmr

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER



Jeffrey S. DeWitt
Chief Financial Officer

April 4, 2017

The Honorable Muriel Bowser
Mayor of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Room 306
Washington, DC 20004

Dear Mayor Bowser:

I am pleased to transmit the Fiscal Year (FY) 2018 Proposed Budget and Financial Plan. The FY 2018 Proposed Budget includes \$7.6 billion in Local funds and \$13.8 billion in Gross funds (excluding Intra-District funds).

The Office of the Chief Financial Officer (OCFO) worked closely with your executive leadership team, the City Administrator's Office of Budget and Finance (OBF) staff, and agency program staff to produce a balanced budget and five-year financial plan. The FY 2018 policy budget reflects your administration's funding priorities and determinations.

After careful review, I certify that the FY 2018 – FY 2021 Budget and Financial Plan, as proposed, is balanced.

REVENUE OUTLOOK

The revenue outlook is predicated on continuing moderate growth in the national economy and assumes similar growth in the District's economy, with added jobs and residents over the period of the financial plan.

Measures to constrain spending at the federal level are expected to be in effect during the period of the financial plan. The prospect of further federal budget cuts is a source of economic uncertainty and risk for the District's economy and finances. To account for the risks and uncertainty around the federal budget, the financial plan assumes that federal employment in the District will decline by modest amounts each year starting in FY 2018.

Population growth has been a major factor in the overall growth of the District's income and sales tax bases and a major driving force behind rising home values. In the last five years (2011 to 2016), the District's population has grown by 60,693 residents, or 10 percent, an increase that has averaged more than 1,000 net new residents per month over this period. Currently, about 40 percent of the District's population growth is from natural increase (births minus deaths), and the rest is from migration from other parts of the U.S. and overseas.

The \$7.4 billion estimate for FY 2018 Local Fund revenue includes estimates for triggered tax policy changes of \$100 million, reducing revenue growth to just over 1 percent. The strength in revenues projected in the February 2017 certified revenue estimate triggered the final set of tax policy changes enacted in 2013. Total General Fund revenue in FY 2018 is \$8.4 billion, an increase of \$97 million over FY 2017.

Various policy initiatives increase General Fund revenue by \$22 million in FY 2018, and approximately \$11 million annually through the remainder of the Financial Plan. Some of the major policy proposals are listed below:

- OTR compliance initiatives to confirm homestead exemptions are properly claimed and to identify bank accounts of delinquent taxpayers for collection. These initiatives increase revenue by \$15.9 million in FY 2018 and a total of about \$6 million over subsequent years.
- The creation of Special Purpose Revenue funds for costs related to enforcement of automated traffic enforcement, moving, and parking violations. This reduces Local fund revenue by \$12.3 million in FY 2018 and increases Special Purpose Revenue by the same amount.
- A new fee on hotels of 50 cents per rented room per day to fund Emergency 911 and Non-emergency 311 systems. This fee will increase Special Purpose Revenue funds by \$4.3 million in FY 2018.
- A new sales tax on digital product purchases, including audio, video, and electronic books, whether downloaded individually or streamed, resulting in approximately \$1.9 million of increased sales tax collections annually during the financial plan period.

EXPENDITURES

Local Funds

The Mayor's Proposed FY 2018 Budget includes approximately \$7,590.8 million in spending supported by \$7,591.3 million of resources, with an operating margin of \$0.5 million, as shown in Table 1.

Table 1	
FY 2018 Proposed Budget Summary	
Local Funds	
(\$ in millions)	
Taxes	\$ 6,955.4
Non-Tax Revenues	428.0
Lottery	54.5
All Other	22.3
Revenue Proposals	4.2
Fund Balance Use	126.9
Total Local Fund Resources	\$ 7,591.3
Local Expenditures	\$ 7,590.8
Projected FY 2018 Operating Margin	\$0.5

Note: Details may not add to totals due to rounding.

Gross Funds

The proposed FY 2018 gross funds operating budget (excluding intra-District funds) is \$13.8 billion, an increase of \$456.9 million, or 3.4 percent, over the FY 2017 approved gross budget of \$13.4 billion. The Local and non-Local funding components of the proposed FY 2018 gross budget and the changes from FY 2017 are summarized in Table 2 below.

Table 2				
FY 2018 Gross Funds Budget by Fund Type				
(\$ in millions)				
Fund Type	<u>FY 2017 Approved Budget</u>	<u>FY 2018 Mayor's Proposed</u>	<u>Change</u>	<u>% Change</u>
Local	7,294.7	\$ 7,590.8	\$ 296.1	4.1%
Dedicated Tax	305.7	330.4	24.7	8.1%
Special Purpose	609.9	666.3	56.3	9.2%
Subtotal, General Fund	8,210.3	8,587.4	377.1	4.6%
Federal	3,387.6	3,449.2	61.6	1.8%
Private	1.3	3.9	2.5	192.6%
Total, Operating Funds	11,599.3	12,040.5	441.2	3.8%
Enterprise and Other Funds (including from Dedicated Taxes)	1,786.0	1,801.6	15.7	0.9%
Total Gross Funds	\$ 13,385.2	\$ 13,842.1	\$ 456.9	3.4%

Note: Details may not add to totals due to rounding.

MAJOR COST DRIVERS – LOCAL FUNDS

Overall, the proposed FY 2018 Local funds budget increased by \$296.1 million, or 4.1 percent, over FY 2017. Table 3 provides a snapshot of major cost drivers and offsets to the increase.

Table 3	
Mayor's FY 2018 Approved Budget	
Cost Drivers - Local Funds (in millions)	Amount
FY 2017 Approved Local Funds Budget	\$ 7,294.7
Major Changes:	
GC0 - District of Columbia Public Charter Schools	\$ 82.8
DS0 - Repayment of Loans and Interest	70.5
JA0 - Department of Human Services	68.7
UP0 - Workforce Investments	50.5
KE0 - Washington Metropolitan Area Transit Authority	43.5
GA0 - District of Columbia Public Schools	21.7
All Other Agencies	(41.5)
Total Local Changes	\$ 296.1
FY 2018 Approved Local Funds Budget	\$ 7,590.8

Note: Details may not add to totals due to rounding

Primary Cost Drivers

- **Public Charter Schools:** \$82.8 million increase over FY 2017, primarily due to a 2.0 percent, or \$14.5 million, to support growth in the Current Services Funding Level Budget (CSFL), and a \$68.3 million increase over FY 2017 to account for a projected increase in enrollment by 3,408 students, or 8.3 percent.
- **Repayment of Loans and Interest:** \$70.5 million increase over FY 2017, primarily due to borrowing for capital projects.
- **Department of Human Services:** \$68.7 million increase over FY 2017, primarily to support of the Homeless Continuum of Care which includes: Homeward DC expansion, emergency overflow shelters, short-term family housing facilities, expanded Alternatives to the Court Experience Diversion program and the Parent and Adolescent Support Services program, and a Temporary Assistance for Needy Families (TANF) Hardship policy.

- **Workforce Investments:** \$50.5 million increase over FY 2017, primarily due to Cost-of-Living Adjustments (COLAs) and other projected personal services related costs.
- **Washington Metropolitan Area Transit Authority:** \$43.5 million increase over FY 2017, primarily due to \$33 million to support the annual subsidy, and \$7.8 million for debt service payments.
- **Public Schools:** \$21.7 million increase over FY 2017, primarily due to \$15.1 million, or 2.0 percent, increase in growth in the CSFL budget, and \$6.6 million over FY 2017 for a projected increase in enrollment by 0.5 percent, or 226 students.
- **All Other Agencies:** \$41.5 million reduction is the net of all other increases and decreases to various agency programs.

CAPITAL IMPROVEMENTS PLAN

The District is addressing its continuing infrastructure needs through its Capital Improvements Plan (CIP). The total proposed appropriation request for the FY 2018 through FY 2023 CIP is \$6.64 billion from all sources. The majority of the budget will be financed with municipal bonds totaling \$4.14 billion, along with Pay-As-You-Go (Paygo) transfers from the General Fund, Federal Grants, and a local match to the grants from the Federal Highway Administration, private donations, sale of assets and local transportation fund revenue.

The proposed FY 2018 capital program includes \$1.19 billion in planned capital expenditures to be financed by \$706 million in new I.T. or G.O. bonds, \$85.4 million from new short-term bonds, \$98 million from Grant Anticipation Revenue Vehicle (GARVEE) bonds, \$49 million in Paygo, \$173.2 million in federal grants and payments, \$27.8 million in the Local Match to the Federal Highway Administration grants, \$45.2 million from the Local Transportation Revenue Fund, and \$1 million from the Sale of Assets. Debt service within the CIP period remains below the 12 percent debt cap.

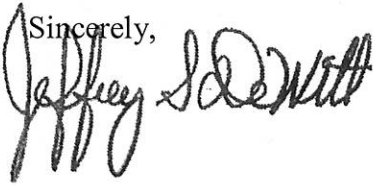
MULTI-YEAR FINANCIAL PLAN

As in the past, the plan shows substantial growth in debt service costs during the plan period to support the \$6.64 billion Capital Improvements Plan through FY 2023. Because of the growth in these costs, labor costs and other non-capital cost growth must be constrained throughout the financial plan. Careful monitoring of these costs, as well as execution of the capital plan, is required to ensure the plan remains balanced in the future.

CONCLUSION

The leadership provided by you and your team, along with the hard work of the Office of Budget and Planning, the Associate Chief Financial Officers and their staffs, and others in the OCFO, allowed us to work effectively together to produce a balanced budget. I look forward to continuing to work with you and the Council during the upcoming budget deliberations.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. DeWitt". The signature is written in a cursive, flowing style with a large initial "J".

Jeffrey S. DeWitt
Chief Financial Officer

May 10, 2017

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

The purpose of this letter is to outline amendments to my proposed FY 2017 Revised Budget, as well as the FY 2018 Budget and Financial Plan and the FY 2018 Budget Support Act, all of which were submitted to the Council on April 4, 2017. This letter corrects errors and proposes amendments that I am asking the Council to make.

I. FISCAL YEAR 2017 REVISED BUDGET REQUEST ACT

1. Emergency and Temporary Measures

Amend the emergency and temporary measures for the Government Direction and Support section to read as follows:

Government Direction and Support

The appropriation for Governmental Direction and Support is decreased by \$6,043,000 in local funds; to be allocated as follows:

- (1) Department of General Services. – \$6,043,000 is removed from local funds.

Background – This would reduce the FY 2017 budget of DGS by \$6,518,248. Recent fixed cost forecast information has predicted a \$5.6 million surplus. In addition \$918,248 would be reduced from object class 40 and 41. This funding will be carried over into FY 2018 and spent in accordance with the actions below. This reduction is offset by the existing \$475,000 increase to DGS in the existing supplemental.

2. Emergency and Temporary Measures

Amend section 3 of these measures by striking the figure “\$182,675,000” and inserting the figure “\$189,193,000” in its place.

Background – This action will take \$6,518,248 available from DGS and carry it over into FY 2018 for use as described below.

II. FISCAL YEAR 2018 BUDGET AND FINANCIAL PLAN

A. FISCAL YEAR 2018 BUDGET LOCAL PORTION ADOPTION ACT OF 2017

1. FY18 Budget Local Portion Adoption Act of 2017

Under the heading “Part A—Summary of Expenses”, on page 2, at lines 34-35, strike the phrase “provided further, that any unspent amount” and insert the phrase “provided further, that local funds and other funds appropriated under this act may be expended for the purpose of providing food and beverages, not to exceed \$30 per employee per day, to employees of the Government of the District of Columbia while such employees are deployed in response to a declared snow emergency or other declared emergency within the District of Columbia; provided further, that any unspent amount” in its place.

Background – This provision would authorize the purchase of food for employees deployed during an emergency. This could impact several agencies, namely DPW, HSEMA, and DDOT and will most often be utilized during snow events.

2. Department of Small and Local Business Development

Add \$100,000 in one-time funds to the agencies budget for the ASPIRE program.

Background – This is a program spearheaded by the Deputy Mayor for Greater Economic Opportunity that would help residents create and retain a small local business. This increased funding would allow for the expansion of the existing returning citizens entrepreneurship training program hosted at DSLBD. These resources came from FY 2017 DGS savings.

3. Office of the Attorney General

Location of Error (Page Number and Paragraph Identifier)	Description of Error	Comment	From	To	Amount
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0070		(133,500)
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0020		(100,000)
Table CB0-3	Reallocation of funds required to correct adjustments made to mission critical contractual services line items.	The reallocation of funds is required to align resources with operational spending goals.	Activity - 9301/ Fund - 0616/CSG 0040		(676,500)
Table CB0-3	Additional funding required to fully support mission critical contractual services line items.	The additional funding is required to align resources with operational spending goals.		Activity - 9301/ Fund - 0616/CSG 0041	910,000
			Net Fiscal Impact		\$ -

4. Department of Housing and Community Development

Location of Error (Page Number and Paragraph Identifier)	Description of Error	Comment	From	To	Amount
B75, Para 5, end of Line 8	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to provide additional resources for the EAHP program and allows the loan limit to increase to \$20,000 from \$10,000.	Activity 4510/ Fund 0100 /CSG 0041		(\$700,000)
B75, Para 1, end of Line 6	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to provide additional resources for the EAHP program and allows the loan limit to increase to \$20,000 from \$10,000.		Activity 3040/ Fund 0100 /CSG 0050	\$700,000
B75, Para 5, end of Line 8	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to reallocate costs for DHCD loan servicing contract to Intra-District funds.	Activity 2010/ Fund 0700 /CSG 0050		(\$700,000)
B75, Para 1, end of Line 6	Additional funding required for the Residential Services - Employee Assistance Home purchase program (EAHP)	The funding is required to reallocate costs for DHCD loan servicing contract to Intra-District funds.		Activity 4510/ Fund 0700 /CSG 0041	\$700,000
B75, Para 4, end of Line 4	Return of funds to Affordable Housing Project Financing	Intra-District funds set aside by the agency to support Housing Preservation have been replaced by one-time Local funds	Activity 2025/ Fund 0700 /CSG 0050		(\$10,000,000)
B75, Para 8, end of Line 6	Return of funds to Affordable Housing Project Financing	Intra-District funds set aside by the agency to support Housing Preservation have been replaced by one-time Local funds		Activity 2010/ Fund 0700 /CSG 0050	\$10,000,000
Table DB0-4	Budget loaded in local funds -non unique as required by the FY2018 draft BSA	The unique fund 0101 (Housing Preservation Fund has been established by OCFO in the financial systems.	Fund 0100		(\$10,000,000)
Table DB0-4		The unique fund 0101 (Housing Preservation Fund has been established by OCFO in the financial systems.		Fund 0101	\$10,000,000
Net Fiscal Impact:					\$0.00

5. Deputy Mayor for Planning and Economic Development

Amend the Part B – Division of Expenses section of the Local Budget Act by adding \$562,000 of budget authority to the special purpose revenue line of the Office of the Deputy Mayor for Planning and Economic Development.

Background – This provision would give DMPED additional special purpose revenue budget authority for their Economic Development Special Account. Additional revenue was carried over into this fund but it cannot be spent without this authority. This increased funding will specifically be spent in the Great Streets program.

6. Metropolitan Police Department

Shift \$970,544 for the arrest diversion program within MPD to the Department of Behavioral Health.

Background – This shift would more appropriately align the budget with the agency best overseeing these functions.

7. Department of Corrections

The \$2,341,480 allocated to the Department of Corrections for the Returning Citizens Portal of Entry is intended to be allocated as follows:

- \$1,100,480 to the Department of Corrections to provide case management services, transportation to the portal of entry facility, and continuum of care through referral services, and to hire 5 FTEs;
- \$500,000 to the Department of Human Services to provide enrollment and eligibility services, SNAP employment, and training, and to hire 4 FTEs;
- \$350,000 to the Department of Behavioral Health to provide mental health assessments, referral services, and case management, and to hire 3 FTEs;
- \$276,000 to the Department of General Services for renovations required for the portal of entry facility;
- \$65,000 to the Department of Employment Services to provide workforce development assistance, and to hire 1 FTE; and
- \$50,000 to the Department of Motor Vehicles to provide driver's license and identification card services, and to hire 1 FTE.

Background – This would provide further clarity around the uses of the funding for the DOC Returning Citizens Portal of Entry.

8. Deputy Mayor for Public Safety and Justice

As part of my commitment to funding and implementing the NEAR Act, the Office of Neighborhood Safety and Engagement (ONSE) will be created comprised of the following existing programs:

- The Community Stabilization Program, funded in the DMPSJ budget at \$530,000 for PS + NPS needs, which shall be transferred from the Office of the Deputy Mayor for Public Safety and Justice, and its five FTEs, inclusive of the Executive Director;
- The Safer Stronger DC Community Partnerships Program, funded in DMHHS, which shall be transferred from the Office of the Deputy Mayor for Health and Human Services, and its six FTEs; and
- Portions of the Roving Leaders Program, which shall be transferred from the Department of Parks and Recreation, and up to 25 FTEs.

The ONSE will be headed by an Executive Director who shall report directly to the Deputy Mayor for Public Safety and Justice. The Executive Director shall oversee the programs listed above, and shall be funded for a salary of up to \$140,000 and fringe of \$29,400, included in the \$530,000 mentioned above

We envision the ONSE commencing during FY 2017 and expanding to its full size in FY 2018. In conducting this reorganization, we create an office that fulfills the vision and requirements established in the NEAR Act.

Background – This would provide additional clarity around the structure and functions of the Office of Neighborhood Safety and Engagement.

9. Non-Public Tuition

Reduce the Non-Public Tuition funding by \$1,500,000.

Background – These funds are no longer needed as enrollment trends in this agency continue to support budgetary reductions. This reduction will be redirected towards the increase for DC Public Schools described below. This action will require amendments to the budget books and local budget request act.

10. D.C. Public Schools

(a) The UPSFF chart in Volume 3, page D-13 should be amended to make necessary enrollment changes to school certified enrollment in special education students. These changes would impact the enrollment amounts in the special education and special education compliance fund categories. An updated chart is below (with changes in yellow).

Foundation Figure	\$ 9,827			
Grade Level	Weight	FY18 Proj Enrollment	Per Pupil Allocation	Total
PK3	1.34	2,378	\$ 13,168	\$ 31,312,426
PK4	1.30	3,603	\$ 12,775	\$ 46,028,804
K	1.30	4,298	\$ 12,775	\$ 54,913,583
Grade 1	1.00	4,280	\$ 9,827	\$ 42,063,443
Grade 2	1.00	4,155	\$ 9,827	\$ 40,828,898
Grade 3	1.00	3,963	\$ 9,827	\$ 38,942,512
Grade 4	1.00	3,950	\$ 9,827	\$ 38,814,119
Grade 5	1.00	3,595	\$ 9,827	\$ 35,328,892
Grade 6	1.08	2,451	\$ 10,613	\$ 26,013,464
Grade 7	1.08	2,371	\$ 10,613	\$ 25,164,391
Grade 8	1.08	2,207	\$ 10,613	\$ 23,423,792
Grade 9	1.22	3,462	\$ 11,989	\$ 41,506,682
Grade 10	1.22	2,638	\$ 11,989	\$ 31,627,564
Grade 11	1.22	2,434	\$ 11,989	\$ 29,181,763
Grade 12	1.22	2,320	\$ 11,989	\$ 27,814,992
Alternative	1.44	1,553	\$ 14,151	\$ 21,976,831
Special Education	1.17	143	\$ 11,498	\$ 1,644,194
Adult	0.89	442	\$ 8,746	\$ 3,865,835.74
Subtotal		50,242		\$ 560,452,186
Special Education		Suggested Revision		
Level 1	0.97	2790	\$ 9,532	\$ 26,595,433
Level 2	1.20	1989	\$ 11,793	\$ 23,455,633
Level 3	1.97	645	\$ 19,360	\$ 12,486,970
Level 4	3.49	1628	\$ 34,297	\$ 55,835,569
Subtotal for Special Education		7,052		\$ 118,373,604
Special Education Compliance Fund				
Blackman Jones	0.069	7,052	\$ 678	\$ 4,781,812
Attorney's Fees	0.089	7,052	\$ 875	\$ 6,167,845
Subtotal for Special Ed Compliance				\$ 10,949,657
English Language Learners				
ELL	0.49	6,280	\$ 4,815	\$ 30,241,839
At-Risk Students				
At-Risk	0.219	25,023	\$ 2,152	\$ 53,853,584
Special Education - ESY				
Level 1 ESY	0.063	226	\$ 619	\$ 139,920
Level 2 ESY	0.227	262	\$ 2,231	\$ 584,465
Level 3 ESY	0.491	107	\$ 4,825	\$ 516,293
Level 4 ESY	0.491	612	\$ 4,825	\$ 2,953,004
Subtotal for Special Ed - ESY		1,207		\$ 4,193,682
				Proposed Revision
Total FY 2018 Local Funds Budget Projection				\$ 778,064,552

Background – These changes reflect the appropriate level of student enrollment in the special education categories. This represents a new enrollment of 7,052 and will result in a net increase of only \$1,701.

(b) Add \$3,861,333 to the budget of DCPS for FY 2018.

Background – This one-time increase in funding will allocate additional resources to DCPS. This increase is the equivalent of a 0.5% increase to the student funding formula. This would effectively get DCPS to a budget that reflects a 2% increase to the Per Student Funding Formula. This one-time payment will not increase the base formula amount of \$9,827, but future increases in FY 2019 and beyond will take this allocation into account. These resources came from FY 2017 DGS savings and FY 2018 Non-Public Tuition savings.

11. D.C. Public Charter Schools

(a) The UPSFF chart in Volume 3, page D-48 should be amended to increase the residential facilities allotment to \$8,621.

Background – During budget formulation the facilities allotments were adjusted by 2.2%, but the law requires that the residential facilities allotment be 2.7 times the amount of the non-residential amount. This fix costs an additional \$20,737. This will require a corresponding change the Budget Support Act Title IV, Subtitle A. The chart will need to be updated to reflect this new amount of \$8,621. These resources came from FY 2017 DGS savings.

(b) Add \$3,284,477 to the budget of DCPCS for FY 2018.

Background – This one-time increase in funding will allocate additional resources to DCPCS. This increase is the equivalent of a 0.5% increase to the student funding formula. This would effectively get DCPCS to a budget that reflects a 2% increase to the Per Student Funding Formula. This one-time payment will not increase the base formula amount of \$9,827, but future increases in FY 2019 and beyond will take this allocation into account. These resources came from FY 2017 DGS savings.

12. Deputy Mayor for Education

Transfer out all funding and staff associated with the My School DC program from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

Background – This program is more appropriately placed with the State Education agency and not the DME. This will ensure its continued success and emphasis as an education tool for all residents and families.

13. Office of the State Superintendent of Education

(a) Transfer in all funding and staff associated with the My School DC program from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

Background – This program is more appropriately placed with the State Education agency and not the DME. This will ensure its continued success and emphasis as an education tool for all residents and families.

(b) Amend the Local Budget Act, Part B – Division of Expenses section for OSSE by adding the following clause:

“provided further, that all funds deposited, without regard to fiscal year, into the Child Care Quality Access Fund are authorized for expenditure and shall remain available for expenditure until September 30, 2018.”

Background – This would allow for automatic budget authority for all funds in the newly created Child Care Quality Access Fund – the account which now houses the \$15 million allocated for the new childcare initiative.

14. Office of the Inspector General

(a) Add \$187,500 and 2 FTEs to the budget of the inspector general.

Background – This would give the OIG increased funding to address staffing needs mentioned below. This would cost \$750,000 over the four year financial plan period. These resources came from FY 2017 DGS savings.

(b) Include the Office of the Inspector General’s (OIG’s) FY 2018 Budget request below in the OIG budget chapter.

Agency Budget Request

The Office of the Inspector General’s (OIG) proposed FY 2018 gross budget is \$19,094,564, which represents a two (2) percent increase over its FY 2017 approved gross budget of \$18,722,457. The budget is comprised of \$16,247,013 in local funds and \$2,847,551 in Federal Grant funds.

The OIG’s proposed budget includes three distinct enhancement requests. These requests are being made to improve the capability of the OIG to ensure that it meets its legislative mandate to promote economy, efficiency, and effectiveness and to prevent and detect corruption, mismanagement, waste, fraud, and abuse in District government programs and operations. The OIG’s budget enhancement requests are as follows:

- \$340,000 to provide NPS increases to augment its FTEs with consultants to support our operational units and objectives (Audit, Investigations, Inspections and Evaluations and the Medicaid Fraud Control Unit). Consultants will supplement staff to perform audit activities and inspections and evaluations work and address areas of special skills needed in investigations. Consultants will include but are not limited to: forensic auditors, forensic computer technology experts, subject experts and auditing, investigations and evaluations;
- \$486,500 to provide an additional 5 FTEs: Audit Unit (2) for meeting legislative mandates and special projects; Investigations Unit (2) to expand workload capacity related to administrative and criminal investigations; and Office of General Counsel (1) for an attorney to focus on contracts and procurement; and

- \$200,000 to reinstate the OIG’s FY 2017 enhancement to adjusted salaries for 22 staff. In FY 2017 OIG was granted an \$800,000 enhancement that it chose to receive as \$200,000/year over four fiscal years from 2017 to 2020, but the \$200,000 was not calculated in the FY 18 MARC.

Background – This would include the OIG submitted budget request with the budget proposed by the Mayor.

B. FISCAL YEAR 2018 BUDGET SUPPORT ACT OF 2017

1. TITLE I, SUBTITLE D. D.C. ACCESS SYSTEM AMENDMENT

Remove this subtitle from the BSA.

Background – This agreement is now going to be detailed via MOU so the legislative language is no longer necessary.

2. TITLE II, SUBTITLE J. WALTER REED OMNIBUS AMENDMENT

Insert a new subtitle in Title II to read as follows:

SUBTITLE J. WALTER REED OMNIBUS AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the “Walter Reed Omnibus Amendment Act of 2017”.

Sec. 2092. Sec. 5 of the Walter Reed Omnibus Act of 2016, effective March 25, 2016 (D.C. Act 21-359; 63 DCR 4628) is amended as follows:

(a) Subsection (4) is amended by striking the phrase “public utilities” and inserting “utility providers” in its place.

Background - As part of the development deal, the developer was obligated to pursue establishing a Microgrid for certain utilities across the entire Redevelopment Site. The developer pursued that arrangement and selected a Microgrid partner. As currently structured, the Microgrid partner isn’t a “public utility”, which is a certain term of art under the District code. Rather, the developer is setting up an arrangement for a private utility distribution structure across the site. The District will still need to provide the utility provider with easements to run the necessary utilities, but because the provider isn’t a “public utility” we technically can’t use this particular disposition authority. Because of this, we suggest revising Sec. 5(4) to read “utility providers” instead of “public utilities” to permit DMPED to grant easements to the private utility provider.

3. TITLE III, SUBTITLE G. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS AMENDMENT

Delete all references of “Office of Community Engagement and Neighborhood Safety” and replace with “Office of Neighborhood Safety & Engagement”.

Background – This would correct the name of this office to the name previously agreed to.

4. TITLE IV, SUBTITLE M. MY SCHOOL DC TRANSFER AMENDMENT

Insert a new subtitle in Title IV to read as follows:

SUBTITLE M. MY SCHOOL DC TRANSFER AMENDMENT

Sec. 4121. Short title.

This subtitle may be cited as the "My School DC Transfer Amendment Act of 2017".

Sec. 4122. Section 4052 The Department of Education Establish Act of 2007, effective June 12 2007 (D.C. Law 17-9; D.C. Official Code §38-191 *et seq.*), is amended as follows:

(a) Section 205 (D.C. Official Code §38-194) is amended by striking the phrase "Department of Education" both times it appears and inserting the phrase "Office of the State Superintendent of Education" in its place."

(b) Section 206 (D.C. Official Code §38-195) is amended by striking the phrase "Deputy Mayor for Education" and inserting the phrase "State Superintendent of Education" in its place."

Background – This new subtitle would allow for the legal transfer of all My School DC funding and staff from the Deputy Mayor for Education to the Office of the State Superintendent of Education.

5. TITLE IV, SUBTITLE N. CHILD CARE QUALITY ACCESS FUND ESTABLISHMENT

Insert a new subtitle in Title IV to read as follows:

SUBTITLE N. CHILD CARE QUALITY ACCESS FUND ESTABLISHMENT

Sec. 4131. Short title.

This subtitle may be cited as the "Child Care Quality Access Fund Establishment Act of 2017".

Sec. 4132. Child Care Quality Access Fund.

(a) There is established as a special fund the Child Care Quality Access Fund, which shall be administered by the Office of the State Superintendent of Education in accordance with subsections (c) and (d) of this section.

(b) There shall be deposited into the Fund:

- (1) In fiscal year 2018, \$15 million from local appropriations;
- (2) Interest earned on money deposited into the Fund;
- (3) Private donations, gifts, and grants;

(c) Money in the Child Care Quality Access Fund shall be used for the following activities, provided through grants or contracts, that expand access to child care:

(1) Improving the supply of child care programs and services for infants and toddlers which may include establishing new or expanding child development facilities serving infants and toddlers;

(2) Supporting the certification and credentialing of the District's child care educators of infants and toddlers;

(3) Providing technical assistance training to child development facilities that facilitates compliance with the licensure process or supports efficient and effective operations;

(4) Evaluating and assessing the availability, quality, and willingness to expand child development facilities offered in the District; and

(5) Carrying out other activities as determined by OSSE related to expanding access to child care and improving the quality of child care services provided in the District.

(d) There is authorized to be appropriated such funds as may be necessary to carry out the activities of the Child Care Quality Access Fund.

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

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

Sec. 4133. Child Care Quality Access Grant Making Authority

(a)(1) Except as provided in paragraph (2) of this subsection, OSSE shall award grants on a competitive basis to nonprofit organizations that provide child care services to infants and toddlers to open child development facilities or for child development facilities to expand available space to serve infants and toddlers.

(2) OSSE may award a grant or a contract to a single non-service provider, nonprofit organization that does not provide child care services to infants and toddlers; provided, that:

(A) The single non-service provider has a proven track record of success in grant-making;

(B) The single non-service provider agrees to use 90% of the OSSE's award to award subgrants to nonprofit organizations that provide child care services to infants and toddlers for the purposes of expanding child care services in accordance with the terms of this section;

(C) The single non-service provider agrees to undergo an annual audit and submit quarterly reports to the OSSE on its financial health and its use of the OSSE award;

(D) The single non-service provider has a proven track record in devising innovative financing and investment approaches in child development facility financing and development to improve the supply and quality of child care;

(b)(1) The grant or contract awarded to single non-service provider shall be awarded for terms of at least 3 years, subject to the availability of funding.

(2) Subgrants shall be awarded for terms of at least 2 years, subject to the availability of funding.

(c) All subgrants of District funds shall be awarded on a competitive basis.

(d) Subgrants shall be awarded to for the following purposes:

(1) Improving the supply of child care programs and services for infants and toddlers which may include establishing new or expanding child development facilities serving infants and toddlers;

(2) Carrying out other activities necessary to expanding access to child care and improving the quality of child care services provided in the District as determined in an evidence-based evaluation of the availability, quality, and willingness to expand child development facilities offered in the District.

(e) The Office may not award a grant under this section in excess of \$1 million during a 12-month period, either singularly or cumulatively, unless the grant is first submitted to the Council for approval, in accordance with section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), or by act.

Background – This would allow the \$15 million of one-time funding to be carried over in a non-lapsing fund. It would also more clearly delineate the programs goals and functions.

6. TITLE IV, SUBTITLE O. CHANCELLOR OF DCPS SALARY AND BENEFITS APPROVAL AMENDMENT

Insert a new subtitle into Title IV to read as follows:

SUBTITLE O. CHANCELLOR OF DCPS SALARY AND BENEFITS APPROVAL AMENDMENT

Sec. 4141. Short title.

This subtitle may be cited as the “Chancellor of the District of Columbia Public Schools Salary and Benefits Approval Amendment Act of 2017”.

Sec. 4142. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-610.52), is amended as follows:

(a) Section 1052(b) (D.C. Official Code § 1-610.52(b)) is amended by adding a new Paragraph (5) to read as follows:

“(5)(A) Notwithstanding paragraphs (1), (2), (3) and (4) of this subsection, Antwan Wilson shall be compensated \$280,000 annually, effective February 1, 2017, while serving in the capacity of the Chancellor of the District of Columbia Public Schools.

“(B) Notwithstanding any other provision of law, the Chancellor may be paid a performance bonus of up to 10% of his annual base salary for goal achievements in the 2017-2018 school year.

“(C)(i) In addition to such other benefits as the Chancellor may be entitled to receive under existing law or regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make a separation payment to the Chancellor of up to 26 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated, unless the termination is for cause.

“(ii) For purposes of this subparagraph, the term “cause” means:

“(I) Being indicted for or convicted of any criminal offense;

“(II) Committing on duty conduct that is reasonably known to be a violation of law or regulation;

“(III) Using public office for private gain; or

“(IV) Committing any other act that would warrant removal pursuant to Chapter 16 of Title 6B of the District of Columbia Municipal Regulations (6B DCMR § 1600 *et seq.*).

“(D) The restrictions and reporting requirements specified in 3602(b) of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(b)), shall not apply to the Chancellor.”

(b) Section 1055(2) D.C. Official Code § 1-610.55(3)) is amended by striking the period and inserting the phrase “: provided, that the Chancellor of the District of Columbia Public Schools Antwan Wilson and his immediate family may be provided a reasonable temporary housing allowance for a period not to exceed 90 days.” In its place.

Background – This subtitle would legislatively approve the salary and benefits package approved for the new Chancellor of DCPS.

7. TITLE V, SUBTITLE E. ANIMAL CONTROL AMENDMENT

Remove this subtitle from the BSA.

8. TITLE VI, SUBTITLE L. FLEET FACILITY EMINENT DOMAIN AUTHORITY

Insert a new subtitle into Title VI to read as follows:

SUBTITLE L. FLEET FACILITY EMINENT DOMAIN AUTHORITY

Sec. 6111. Short title.

This subtitle may be cited as the "Fleet Facility Eminent Domain Authority Act of 2017".

Sec. 6112. Findings.

The Council finds that:

(1) The District government operates a substantial fleet of motor vehicles, including specialized equipment, such as fire, emergency medical services, and police vehicles.

(2) The District government has a significant need for maintenance, repair, and storage facilities for its vehicles.

(3) It is difficult to acquire real property for these purposes due to the limited availability of land in the District zoned for these purposes.

(4) The District has identified a site located on W Street, NE, east of Brentwood Road, NE (the “W Street Site”) as a strong site for these purposes because the site allows for by-right use as a vehicle maintenance, repair, and/or storage facility.

(5) The W Street Site is currently occupied by a private trash transfer station.

(6) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(7) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(8) Since August 2012, the District Department of the Environment has issued 4 notices of infractions to the W Street Site trash transfer station.

(9) Acquisition of the W Street Site will allow the District to construct and operate a facility needed to maintain, repair, and/or store District vehicles.

Sec. 6113. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes of vehicle maintenance, repair, and/or storage facility.

Background – This subtitle would authorize the acquisition of the W Street Transfer Station through eminent domain for use as a vehicle maintenance, repair, and/or storage facility.

**9. TITLE VIII. SUBTITLE F. REVERSE PAYGO REPROGRAMMING
CLARIFICATION**

Amend section 8052 of this subtitle to read as follows:

Sec. 8052. (a) Chapter 3 of Title 47 of the District of Columbia Code is amended as follows:

(1) Section 47-361 is amended as follows:

(a) A new subsection (15) is added to read as follows:

“(15) “Reverse Paygo” means the movement of authorized Paygo capital budget back to the operating budget.

(b) Section 47-363(a) of the D.C. Official Code is amended to read as follows:

“(a)(1) The Mayor shall submit to the Council for approval a reprogramming request that individually or on a cumulative basis would result in a change to the original appropriated authority, along with certification by the Chief Financial Officer of the availability of funds for the reprogramming. The request shall include an analysis of its effect on the budget and on the purposes for which the funds were originally appropriated.

“(2) The Mayor shall submit to the Council for approval a reprogramming request when an agency proposes to transfer funds of \$500,000 or more in any fiscal year from one capital project or sub-project to another capital project or subproject except that, for reverse Paygo actions the project (RPA02C) used for transaction recording and tracking shall not constitute a capital project under this provision.

Background - This provision was inadvertently left out of the current draft. It will increase the efficiency of agency implementation of capital projects that need to expend budget on items that are ineligible for capital budget, such as fixtures, furniture and equipment like computers for schools. By reversing relatively small amounts of Paygo capital budget to the agency’s operating budget, agencies will complete the capital projects in a timelier manner. Paygo capital budget is budget backed by local revenues, so that the capital ineligible expenditures are made from the proper fund in accordance with OCFO policies.

Thank you for your consideration of these changes.

Sincerely,

Muriel Bowser



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 4
Washington, DC 20004
(202) 724-8026

MEMORANDUM

TO: Chairman Phil Mendelson

FROM: Ellen Efros, General Counsel *EAE*

DATE: May 30, 2017

RE: Legal sufficiency determination for the committee print
of Bill 22-243, the Fiscal Year 2018 Budget Support Act of
2017

The measure is legally and technically sufficient for Council consideration.

Pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act,¹ when the Council approves the annual budget, the Council must also enact appropriate laws to ensure that expenditures do not exceed revenues. I have reviewed the provisions of the proposed Fiscal Year 2018 Budget Support Act of 2017 included in the committee print and find them to be legally unobjectionable, with leave to make conforming, clarifying, and technical amendments.

I am available if you have any questions.

¹ D.C. Official Code §§ 1-204.46 and 1-206.03(c).