

1 **COMMITTEE PRINT—DRAFT**

2 Committee of the Whole

3 May 22, 2013

4

5 **A BILL**

6 **20-199**

7 **IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

8

9 To enact and amend provisions of the law necessary to support the fiscal year 2014 budget.

10 **BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this**
11 **act may be cited as the "Fiscal Year 2014 Budget Support Act of 2013".**

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17 **SUBTITLE A. BONUS AND SPECIAL PAY**

18 Sec. 1001. Short title.

19 This subtitle may be cited as the "Bonus and Special Pay Limitation Act of 2013".

20 Sec. 1002. Bonus and special pay limitations.

21 (a) For fiscal year 2014, no funds may be used to support the categories of special awards
22 pay or bonus pay; provided, that funds may be used to pay:

23 (1) Retirement awards;

24 (2) Hiring bonuses for difficult-to-fill positions;

25 (3) Additional income allowances for difficult-to-fill positions;

26 (4) Agency awards or bonuses funded by private grants or donations;

27 (5) Safe driving awards;

28 (6) Gainsharing incentives in the Department of Public Works;

29 (6) Suggestion or invention awards; or

30 (7) Any other award/bonus required by an existing contract or collective
31 bargaining agreement that was entered into before the effective date of this subtitle.

1 (b) No special awards pay or bonus pay may be paid to a subordinate agency head or an
2 assistant or deputy agency head unless required by an existing contract that was entered into
3 before the effective date of this subtitle.

4 (c) Notwithstanding any other provision of law, no restrictions on the use of funds to
5 support the categories of special awards pay (comptroller subcategory 0137) or bonus pay
6 (comptroller subcategory 0138) shall apply in fiscal year 2014 to employees of the District of
7 Columbia Public Schools who are based at a local school or who provide direct services to
8 individual students.

9 **SUBTITLE B. INNOVATION FUND ESTABLISHMENT**

10 Sec. 1011. Short title.

11 This subtitle may be cited as the "Innovation Fund Establishment Act of 2013".

12 Sec. 1012. Definitions.

13 For the purposes of this subtitle, the term:

14 (1) "Fund" means the Innovation Fund established in section 1013.

15 (2) "Grant managing entity" means the Community Foundation for the National
16 Capital Region pursuant to section 1016.

17 Sec. 1013. Innovation Fund, established.

18 (a) There is established a Innovation Fund ("Fund") to provide sub-grants to nonprofit
19 organizations in education, job training, health, services for seniors, arts, public safety, and the
20 environment.

21 (b) The Mayor shall make a grant to a single grant managing entity of which at least 94%
22 shall be used to make sub-grants for the purpose of promoting a growing economy, educational
23 improvement, increasing sustainability, and improving the quality of life for all residents. The
24 remaining 6% shall be utilized for administrative expenses and evaluation of the Fund.

25 (c) The Fund is designed to provide sub-grants to nonprofits in education, job training,
26 health, services for seniors, arts, public safety, and the environment. The funds shall be available

1 for conveyance to a grant managing entity for the purposes identified in section (b) of this
2 section.

3 (d) Sub-grants shall be awarded, subject to the availability of funding, as follows:

4 (1) All sub-grants shall be awarded on a competitive basis;

5 (2) The sub-grants shall not exceed \$100,000 per year;

6 (3) Capacity building sub-grants are one-time and can be carried over for a
7 maximum of 3 years;

8 (4) Program development sub-grants are limited to a maximum of 3 years and
9 contingent on first-year grant outcomes;

10 (5) The sub-grant funds shall be used exclusively to serve District of Columbia
11 residents;

12 (6) Independent review panels shall be used as part of the sub-grant selection
13 process; and

14 (7) All sub-grants shall be subject to District transparency requirements such as
15 Freedom of Information Act requests.

16 (e) The Fund shall be administered pursuant to the requirements set forth in the Grant
17 Administration Act of 2013, passed on first reading on May 22, 2013 (subtitle J of title I of Bill
18 20-199).

19 Sec. 1014. Required information before approval.

20 (a) To be eligible to receive a sub-grant from the grant managing entity pursuant to
21 section 1013, a sub-grantee shall submit the following required documentation to the grant
22 managing entity as well as any additional information required by the grant managing entity:

23 (1) Internal Revenue Service certification that the organization is tax-exempt
24 under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
25 Stat. 163; 26 U.S.C. § 501(c)(3));

26 (2)(A) The organization's most recent financial audit, not more than 2 years old;

27 or

1 (B) A recent financial statement, not more than one year old, prepared by
2 a certified accountant that shows that the organization is in good financial standing and which
3 delineates its:

- 4 (i) Existing assets and liabilities;
- 5 (ii) Pending lawsuits, if any; and
- 6 (iii) Pending and final judgments, if any.

7 (3) Internal Revenue Service Form 990 covering the organization's most recently
8 completed fiscal year;

9 (4) A notarized statement from the sub-grantee certifying that:

10 (A) The organization is current on District and federal taxes;

11 (B) The grant managing entity is authorized to verify the organization's tax
12 status with the Office of Tax and Revenue and the Office of Tax and Revenue is authorized to
13 release this information to the grant managing entity;

14 (C) The grant managing entity shall have access to the sub-grantees
15 financial, administrative, and operational records, including specific consent for the grant
16 managing entity to access its books, accounts, records, findings, and documents related to the
17 sub-grant; and

18 (D) The sub-grantee is registered with the Department of Consumer and
19 Regulatory Affairs; and

20 (5) A comprehensive program statement that includes a detailed:

21 (A) Scope of work; and

22 (B) Budget that describes how the sub-grant funds shall be spent.

23 Sec. 1015. Reporting requirements.

24 Beginning January 2, 2015, the grant managing entity shall submit an annual report to the
25 Mayor and the Council of all District funds allocated, which includes:

26 (1) Detailed sub-grantee data;

27 (2) Performance measures and performance outcomes under each sub-grant;

- 1 (3) The specific services provided under each sub-grant;
- 2 (4) The entity providing the services, if one other than the sub-grantee;
- 3 (5) The time period of delivery of the services;
- 4 (6) The type of service provided;
- 5 (7) The actual amount paid for the services; and
- 6 (8) The amount of other expenditures under the sub-grant, if any.

7 Sec. 1016. Authorization for grant-managing entity.

8 For Fiscal Years 2014, 2015, and 2016, the Community Foundation for the National
9 Capital Region ("Community Foundation") is designated as the grant managing entity. The
10 Community Foundation shall be required to enter into a Memorandum of Understanding
11 ("MOU") with the District of Columbia government. The MOU shall set forth certain
12 administrative requirements for the Community Foundation to abide by when it obtains District
13 funds and awards sub-grants involving District funds, and will clarify and reaffirm the
14 Community Foundation's responsibility and obligation with respect to District funds, including
15 the monitoring of the use of District funds.

16 Sec. 1017. Limitation on duplicative projects.

17 (a) The grant managing entity shall take steps to avoid awarding sub-grants to a nonprofit
18 that has been awarded or is being awarded funds from the DC Children and Youth Investment
19 Trust Corporation ("Trust") for the same or similar program purposes for which it is applying for
20 funding from the Fund.

21 (b) Within 30 days after the effective date of the MOU, the grant managing entity shall
22 provide to the Mayor, or his or her designee, and the Council, a plan that sets forth procedures
23 for avoiding the award of duplicative funds from the Trust and the Fund.

24 **SUBTITLE C. DEPARTMENT OF GENERAL SERVICES PROTECTIVE**
25 **SERVICES DIVISION**

26 Sec. 1021. Short title.

1 This subtitle may be cited as the "Department of General Services Protective Services
2 Division Amendment Act of 2013".

3 Sec. 1022. Section 1023(6) of the Department of General Services Establishment Act of
4 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.02(6)), is
5 amended to read as follows:

6 "(6) Protective Services Division, which shall coordinate, manage, and provide
7 security services for District government facilities through the use of special police officers and
8 security officers, as defined in D.C. Official Code § 47-2839.01, civilian employees, or
9 contractors."

10 **SUBTITLE D. CAPTIVE INSURANCE**

11 Sec. 1031. Short title.

12 This subtitle may be cited as the "Captive Insurance Amendment Act of 2013".

13 Sec. 1032. The District of Columbia Medical Liability Captive Insurance Agency
14 Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; D.C. Official Code
15 § 1-307.81 *et seq.*), is amended as follows:

16 (a) Section 2 (D.C. Official Code § 1-307.81) is amended as follows:

17 (1) Paragraph (2) is amended by striking the phrase "District of Columbia
18 Medical Liability Captive Insurance Agency" and inserting the phrase "Captive Insurance
19 Agency" in its place.

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

21 "(2A) "Act of terrorism" shall have the same meaning as provided in section
22 102(1) of the Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-
23 194; D.C. Official Code § 22-3152(1))."

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

25 "(4A) "District real property asset" means improved real property owned by the
26 District and includes all structures of a permanent character erected on or affixed to the
27 property."

1 (5) Paragraph (5) is amended by striking the phrase "Medical Liability Captive"
2 both places it appears and inserting the phrase "Captive" in its place.

3 (6) A new paragraph (8A) is added to read as follows:

4 "(8A) "Medical malpractice" means professional negligence by act or omission by
5 a health care provider in which the treatment provided falls below the accepted standard of
6 practice in the medical community and causes injury or death to the patient, with most cases
7 involving medical error."

8 (7) A new paragraph (9A) is added to read as follows:

9 "(9A) "Property insurance" means an insurance policy that protects against most
10 risks to property such as earthquakes, floods, acts of terrorism, fires, boiler or machinery failures,
11 business interruptions, pollution, fidelity, builders risk, debris removal, and weather damage."

12 (b) Section 3 (D.C. Official Code § 1-307.82) is amended to read as follows:

13 "Sec. 3. Establishment of the Captive Insurance Agency.

14 "(a) There is established, as a subordinate agency, the Captive Insurance Agency.

15 "(b) The purpose of the Agency is to:

16 "(1) Provide medical malpractice liability insurance policies for health centers,
17 including coverage for the staff, contractors, and volunteer service providers for the services
18 provided at the health centers; and

19 "(2) Provide property insurance for District real property assets.

20 "(c) The liability of the Agency for medical malpractice liability and property insurance
21 policies shall be limited to the funds in the Captive Trust Fund."

22 (c) Section 4(a) (D.C. Official Code § 1-307.83(a)) is amended follows:

23 (1) Paragraph (1) is amended to read as follows:

24 "(1) By delegation from the Mayor, to exercise procurement authority as is
25 necessary or proper to carry out the provisions and purposes of this act, including contract
26 oversight and contracting with:

1 "(A) Other insurance companies, captives, risk pools, re-insurers, and
2 other similar entities;

3 "(B) Similar captives of other states, municipalities, or counties for the
4 joint performance of common administrative functions; and

5 "(C) Persons or other entities for the performance of organizational,
6 management, or administrative functions;"

7 (2) A new paragraph (4A) is added to read as follows:

8 "(4A) Obtaining property insurance for District real property assets in accordance
9 with the requirements of the plan of operation under section 8;"

10 (d) Section 6 (D.C. Official Code § 1-307.85) is amended as follows:

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

12 "(b) The Advisory Council shall consist of 7 members appointed by the Risk Officer. One
13 member shall represent the District of Columbia Primary Care Association, 2 members shall
14 represent District health centers, 2 members shall have expertise in general property insurance
15 and re-insurance, and 2 members shall have general insurance expertise, whether medical
16 malpractice or general property insurance."

17 (2) Subsection (i) is amended as follows:

18 (A) Paragraph (2) is amended by striking the word "and" at the end.

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

20 "(2A) Assess the needs and interests of the District with respect to obtaining
21 property insurance through the Agency; and"

22 (e) Section 7(b) (D.C. Official Code § 1-307.86(b)) is amended by striking the phrase
23 "March 2" and inserting the phrase "December 15" in its place.

24 (f) Section 8(b) (D.C. Official Code § 1-307.87(b)) is amended by adding a new
25 paragraph (4A) to read as follows:

26 "(4A) Establish procedures for the offering of property insurance for District real
27 property assets;"

1 (g) Section 11 (D.C. Official Code § 1-307.90) is amended to read as follows:

2 "Sec. 11. Coverage.

3 "(a) The Agency shall offer:

4 "(1) Health centers medical malpractice insurance that is consistent with
5 coverage offered in the market; and

6 "(2) Property insurance for the benefit of the District for District real property
7 assets consistent with coverage offered in the market.

8 "(b) The insurance policies and coverage offered pursuant to this act shall be established
9 by the Risk Officer with the advice of the Advisory Council and subject to the approval of the
10 Commissioner.

11 "(c) Any policy offered by the Agency shall state that the liability of the Agency shall be
12 limited to the funds in the Captive Trust Fund."

13 (h) Section 12(a) (DC Official Code § 1-307.91(a)) is amended by striking the phrase
14 "Medical Liability Captive" and inserting the phrase "Captive" in its place.

15 (i) A new section 16 is added to read as follows:

16 "Sec. 16. Short title.

17 "This act may be cited as the "Captive Insurance Agency Establishment Act of 2008"."

18 **SUBTITLE E. TECHNOLOGY SERVICES SUPPORT**

19 Sec. 1041. Short title.

20 This subtitle may be cited as the "Technology Services Support Amendment Act of
21 2013".

22 Sec. 1042. The Technology Services Support Act of 2007, effective September 18, 2007
23 (D.C. Law 17-20; D.C. Official Code § 1-1431 *et seq.*), is amended as follows:

24 (a) Section 1002 (D.C. Official Code § 1-1431) is amended by repealing paragraphs (1),
25 (2), (5), and (6).

26 (b) Section 1004 (D.C. Official Code § 1-1433) is amended to read as follows:

27 "Sec. 1004. Technology Infrastructure Services Support Fund.

1 "(a) There is established as a special fund the Technology Infrastructure Services Support
2 Fund ("Fund"), which shall be administered by the Chief Technology Officer in accordance with
3 subsection (c) of this section.

4 "(b) The Fund shall consist of the revenue from payments by independent District
5 government agencies and federal agencies for services provided by the Office of the Chief
6 Technology Officer in accordance with subsection (c) of this section.

7 "(c) The Fund shall be used solely to defray operational costs of programs of the Office
8 of the Chief Technology Officer, other than the DC-Net program, that the Chief Technology
9 Officer shall designate based on the use of such programs to provide services to independent
10 agencies of the District and agencies of the federal government.

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

14 "(2) Subject to authorization by Congress, any funds appropriated in the Fund
15 shall be continually available without regard to fiscal year limitation."

16 **SUBTITLE F. EASTERN MARKET JURISDICTION CLARIFICATION**

17 Sec. 1051. Short title.

18 This subtitle may be cited as the "Eastern Market Jurisdiction Clarification Amendment
19 Act of 2013".

20 Sec. 1052. The Eastern Market Real Property Asset Management and Outdoor Vending
21 Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-101 *et seq.*), is
22 amended as follows:

23 (a) Section 2 (D.C. Official Code § 37-101) is amended as follows:

24 (1) Paragraph (12) is amended to read as follows:

25 "(12) "Eastern Market Special Use Area" means:

26 "(A) Eastern Market Square, including the North Hall Plaza;

27 "(B) The Capitol Hill Natatorium Plaza;

1 "(C) The playground and parking lot of Hine Junior High School, as of the
2 effective date of the Eastern Market Jurisdiction Clarification Amendment Act of 2013, until
3 commencement of construction with respect to new development on the Hine Junior High
4 School site;

5 "(D) 7th Street, S.E., between North Carolina Avenue, S.E., and
6 Pennsylvania Avenue, S.E., including the area between the curb and near edge of the sidewalk
7 on both the east and west sides of the street and excluding the area between the property line and
8 far edge of the sidewalk on both sides of the street;

9 "(E) The new C Street, S.E., to be constructed between 7th and 8th Streets,
10 S.E., including the area between the curb and near edge of the sidewalk on both the north and
11 south sides of the street and excluding the area between the property line and the far edge of the
12 sidewalk on both sides of the street; and

13 "(F) Other privately owned or controlled lands or buildings that are
14 directly adjacent to the area defined in subparagraphs (A), (B), (C), and (D) of this paragraph,
15 each being subject to a lease or management agreement between the market manager and such
16 owner or controlling entity, and for durations and under conditions defined in the lease or
17 management agreements.".

18 (2) Paragraph (21) is amended to read as follows:

19 "(21) "Market manager" means a person or persons, having experience relevant to
20 operating an historic urban fresh food or farmers' market, employed to provide unified and
21 coordinated management for the Eastern Market Square and Eastern Market Special Use Area.".

22 **SUBTITLE G. COMMUNITY AFFAIRS GRANT-MAKING AUTHORITY**

23 Sec. 1061. Short title.

24 This subtitle may be cited as the "Community Affairs Grant-Making Authority
25 Authorization Amendment Act of 2013".

26 Sec. 1062. Section 303(10) of the District of Columbia Latino Community Development
27 Act, effective September 29, 1976 (D.C. Law 1-86; D.C. Official Code § 2-1313(10)), is

1 amended by striking the word "act" and inserting the phrase "act; provided, that grants shall be
2 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,
3 passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199)" in its place.

4 Sec. 1063. Section 304(c)(9) of the Office on Asian and Pacific Islander Affairs
5 Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-
6 1373(c)(9)), is amended by striking the word "act" and inserting the phrase "act; provided, that
7 grants shall be administered pursuant to the requirements set forth in the Grant Administration
8 Act of 2013, passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199)" in its
9 place.

10 Sec. 1064. Section 3 of the Office and Commission on African Affairs Act of 2006,
11 effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1392), is amended as follows:

12 (a) Paragraph (8) is amended by striking the word "and" at the end.

13 (b) Paragraph (9) is amended by striking the period at the end and inserting the phrase ";
14 and" in its place.

15 (c) A new paragraph (10) is added to read as follows:

16 "(10) Issue grants to organizations that provide services to African residents of
17 the District in furtherance of the mission of the Office or the purposes of this act; provided, that
18 grants shall be administered pursuant to the requirements set forth in the Grant Administration
19 Act of 2013, passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199).".

20 **SUBTITLE H. DISTRICT OF COLUMBIA GOVERNMENT COMPREHENSIVE**
21 **MERIT PERSONNEL**

22 Sec. 1071. Short title.

23 This subtitle may be cited as the "District of Columbia Government Comprehensive
24 Merit Personnel Amendment Act of 2013".

25 Sec. 1072. The District of Columbia Government Comprehensive Merit Personnel Act of
26 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is
27 amended as follows:

1 (a) Section 903(9) (D.C. Official Code § 1-609.03(9)) is amended by striking the number
2 "6" and inserting the number "10" in its place.

3 (b) Section 1052 (D.C. Official Code § 1-610.52) is amended by added a new subsection
4 (b-1) to read as follows:

5 "(b-1) Notwithstanding subsections (a) and (b) of this section, the compensation of the
6 Chief Medical Examiner ("CME") shall not exceed \$253,000 unless approved by an act of the
7 Council. The level of compensation as provided in this subsection shall be the total annual
8 salary amount that the CME may receive. The CME may not receive longevity pay, bonus pay,
9 including performance bonus pay, retention pay, per annum percentage increases for cost-of-
10 living purposes or due to any collective bargaining activity within the agency, or any equivalent
11 financial incentives or salary enhancements."

12 **SUBTITLE I. DISTRICT OF COLUMBIA UNIFORM LAW COMMISSION**

13 Sec. 1081. Short title.

14 This subtitle may be cited as the "District of Columbia Uniform Law Commission
15 Amendment Act of 2013".

16 Sec. 1082. Section 4(b) of the District of Columbia Uniform Law Commission Act of
17 2010, effective March 12, 2011 (D.C. Law 18-313; D.C. Official Code § 3-1433(b)), is amended
18 by adding a new paragraph (3) to read as follows:

19 "(3) The District may expend funds necessary to cover the costs of
20 commissioners' attendance at the annual meeting as required under paragraph (1) of this
21 subsection, the annual dues for the NCCUSL, and any other expenses as required."

22 **SUBTITLE J. GRANT ADMINISTRATION**

23 Sec. 1091. Short title.

24 This subtitle may be cited as the "Grant Administration Act of 2013".

25 Sec. 1092. Definitions.

26 For the purposes of this subtitle, the term:

1 (1) "Grant program" means the management or administration by a grantor of
2 grant-making or grant-issuing authority as covered by this act.

3 (2) "Grantee" means the person that receives funds under a grant program.

4 (3) "Grantor" means a District agency, board, commission, instrumentality, or
5 program designated by law as the grant-managing entity for a grant program.

6 Sec. 1093. Applicability of requirements on grants.

7 Notwithstanding any other provision of law, and except where the law establishing
8 authority for the grant exempts or modifies the requirements of this act by specific reference, any
9 grant-making or grant-issuing authority established under the Fiscal Year 2014 Budget Support
10 Act of 2013, passed on first reading on May 22, 2013 (Bill 20-199), shall be administered
11 pursuant to the requirements of this subtitle.

12 Sec. 1094. Requirements for award of grants.

13 (a) Any grant of \$50,000 or more that is made pursuant to an authority described in
14 section 1093 shall be awarded on a competitive basis and solely for the purpose or purposes
15 identified in the statute establishing the grant-making or grant-issuing authority.

16 (b) A grantor shall, before providing notice of the availability of grant funds as required
17 by subsection (c) of this section, establish criteria or standards for the selection of a grantee or
18 grantees under the grant program, and shall set priorities among those criteria or standards.

19 (c) A grantor shall publish notice in the District of Columbia Register for a minimum of
20 14 days in advance of making or issuing a grant of the following:

21 (1) A detailed description of the availability of grant funds, including the amount,
22 the number of likely grant awards to be made, and any limitations or requirements on the use of
23 such grant funds;

24 (2) Eligibility requirements for receiving funds under the grant program,
25 including the requirements in section 1095;

26 (3) Selection criteria for the awarding of funds under the grant program;

1 (4) A description of the application process under the grant program, including
2 the date after which applications will no longer be received; and

3 (5) The date that final determination of grant awards will be made.

4 Sec. 1095. Requirements for administration of grant programs.

5 A grantor administering a grant program covered by this act shall:

6 (1) Within 30 days from the closing date of the grant application process, provide
7 notification to all applicants of the acceptance or rejection of their application for the grant
8 funds; and

9 (2)(A) Maintain records of any written communications as well as a description
10 of any other communications, including telephonic or face-to-face communications, between the
11 grantor and any District government official or staff regarding:

12 (i) The development of the selection criteria or eligibility
13 requirements;

14 (ii) Selection by the grantor of a grantee; or

15 (iii) Issues with a grantee's compliance with grant-program
16 requirements.

17 (B) Records required under this paragraph shall be provided, upon
18 request, within a reasonable time, to the Mayor, or his or her designee, or to a member of the
19 Council.

20 Sec. 1096. Eligibility requirements for receiving grants.

21 In addition to any other eligibility requirements provided under the enabling statute of the
22 grant program, to be eligible to receive funds under a grant program covered by this act, an
23 individual or entity must be current on all taxes and liabilities owed to the District, or have a plan
24 to resolve such taxes and liabilities that is satisfactory to the grantor.

25 Sec. 1097. Reporting requirements.

26 Beginning in 2014, a grantor managing a grant program covered by this act shall submit a
27 report to the Mayor and the Council by November 1 of each year, the following information:

- 1 (1) All funds allocated pursuant to a grant program in the previous fiscal year;
2 (2) The type of services and a timeline for delivery of services for the grant; and
3 (3) Performance measures and performance outcomes for each grant issued
4 during the previous fiscal year.

5 **SUBTITLE K. DISCRETIONARY FUNDS RENAMING**

6 Sec. 1101. Short title.

7 This subtitle may be cited as the "Discretionary Fund Renaming Act of 2013".

8 Sec. 1102. Section 26 of An Act To authorize certain programs and activities of the
9 government of the District of Columbia, and for other purposes, approved October 26, 1973 (87
10 Stat. 509; D.C. Official Code § 1-333.10), is amended by adding a new subsection (c) to read as
11 follows:

12 "(c) This section may be cited as the "Discretionary Funds Act of 1973".

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

14 **SUBTITLE A. DEPUTY MAYOR FOR PLANNING AND ECONOMIC**
15 **DEVELOPMENT LIMITED GRANT-MAKING AUTHORITY**

16 Sec. 2001. Short title.

17 This subtitle may be cited as the "Deputy Mayor for Planning and Economic
18 Development Limited Grant-Making Authority Amendment Act of 2013".

19 Sec. 2002. The Deputy Mayor for Planning and Economic Development Limited Grant-
20 Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; codified in
21 scattered cites in the D.C. Official Code), is amended as follows:

22 (a) Section 2032 (D.C. Official Code § 1-328.04) is amended as follows:

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

24 (A) Paragraph (2) is amended by striking the phrase "project;" and
25 inserting the phrase "project; and" in its place.

26 (B) Paragraph (3) is repealed.

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

2 "(b-1)(1) The Deputy Mayor may make grants for fiscal year 2014 as follows:

3 "(A) An amount of \$100,000 for sector consultants;

4 "(B) An amount of \$350,000 for local business promotion;

5 "(C) An amount of \$75,000 for regional economic development; and

6 "(D) An amount of \$50,000 for increasing access to financial services and
7 products to unbanked and under-banked residents.

8 "(2) Grants made pursuant to this subsection shall be administered pursuant to the
9 requirements set forth in the Grant Administration Act of 2013, passed on first reading on May
10 22, 2013 (subtitle J of title I of Bill 20-199).".

11 (b) Section 2033 (D.C. Official Code § 1-325.211) is amended as follows:

12 (1) Subsection (a) is amended by striking the phrase "Deputy Mayor for Planning
13 and Economic Development" and inserting the phrase "Commission on Arts and Humanities" in
14 its place.

15 (2) Subsection (b)(1) is amended as follows:

16 (A) Subparagraph (A) is amended by striking the word "and".

17 (B) Subparagraph (B) is amended by striking the period and inserting the
18 phrase "; and" in its place.

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

20 "(C) An annual appropriation of \$107,000.".

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

22 "(d) The Commission on Arts and Humanities is authorized to make grants for the
23 purposes described in this section. Grants made under this subsection shall be administered
24 pursuant to the requirements set forth in the Grant Administration Act of 2013, passed on first
25 reading on May 22, 2013 (subtitle J of title I of Bill 20-199).".

26 Sec. 2003. Section 5 of the Commission on Arts and Humanities Act, effective October
27 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-204), is amended as follows:

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

2 "(3A) Make grants to neighborhood or civic associations for the purpose of
3 providing funds for parades, festivals, and any other celebrations sponsored by a neighborhood
4 or civic association in accordance with section 2033(c) of the Deputy Mayor for Planning and
5 Economic Development Limited Grant-Making Authority Act of 2012, effective September 20,
6 2012 (D.C. Law 19-168; D.C. Official Code § 1-325.211(c)).".

7 (b) Paragraph (5)(C) is amended by striking the phrase "in the Fund" and inserting the
8 phrase "in the Fund or in the Neighborhood Parade and Festival Fund, established by section
9 2033 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making
10 Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-
11 325.211), if the donation, gift, or grant is designated to be used for a parade, festival, or any other
12 celebration sponsored by a neighborhood or civic association" in its place.

13 **SUBTITLE B. WORKFORCE INVESTMENT COUNCIL AND WORKFORCE**
14 **INTERMEDIARY GRANT-MAKING AUTHORITY**

15 Sec. 2011. Short title.

16 This subtitle may be cited as the "Workforce Investment Council and Workforce
17 Intermediary Grant -Making Amendment Authority Act of 2013".

18 Sec. 2012. Section 4 of the Workforce Investment Implementation Act of 2000, effective
19 July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603), is amended by adding new
20 subsections (c)and (d) to read as follows:

21 "(c) The Council shall have grant-making authority for the purpose of providing
22 competitive grants under the authority granted to the Council by this act; provided, that grants
23 shall be administered pursuant to the requirements set forth in the Grant Administration Act of
24 2013, passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199).

25 "(d) The Council shall have grant-making authority for the purpose of providing
26 competitive grants based on the recommendations of the Workforce Intermediary Task Force,
27 pursuant to the Workforce Intermediary Task Force Establishment Temporary Act of 2011,

1 effective December 2, 2011 (D.C. Law 19-414; 58 DCR 8962), approved by the Council of the
2 District of Columbia, the Workforce Intermediary Task Force Recommendations Emergency
3 Approval Resolution of 2012, effective June 5, 2012 (Res. 19-454; 59 DCR 7454); provided, that
4 grants shall be administered pursuant to the requirements set forth in the Grant Administration
5 Act of 2013, passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199).".

6 **SUBTITLE C. UNEMPLOYMENT COMPENSATION ANTI-FRAUD FEDERAL**
7 **CONFORMITY**

8 Sec. 2021. Short title.

9 This subtitle may be cited as the "Unemployment Compensation Anti-Fraud Federal
10 Conformity Amendment Act of 2013".

11 Sec. 2022. Section 19(e) of the District of Columbia Unemployment Compensation Act,
12 approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-119(e)), is amended by adding
13 a new paragraph (3) to read as follows:

14 "(3) Beginning on October 1, 2013, at the time the Director determines an
15 erroneous payment was made to an individual due to fraud committed by such individual, the
16 Director shall assess a penalty on the individual in an amount of 15% of the amount of the
17 erroneous payment. Penalties paid pursuant to this paragraph shall be deposited in the District
18 Unemployment Fund, established by section 2. The penalty assessed by this paragraph shall not
19 be deducted from any future benefits payable to claimant under this act.".

20 **SUBTITLE D. UNEMPLOYMENT COMPENSATION PENALTY REDUCTION**

21 Sec. 2031. Short title.

22 This subtitle may be cited as the "Unemployment Compensation Penalty Reduction
23 Amendment Act of 2013".

24 Sec. 2032. Section 4(c)(2) of the District of Columbia Unemployment Compensation
25 Act, approved August 28, 1935 (49 Stat. 948; D.C. Official Code § 51-104(c)(2)), is amended by
26 striking the number "25" and inserting the number "10" in its place.

1 **SUBTITLE E. UNEMPLOYMENT COMPENSATION BENEFITS CHANGES**

2 **FEDERAL CONFORMITY**

3 Sec. 2041. Short title.

4 This subtitle may be cited as the "Unemployment Compensation Benefit Charges Federal
5 Conformity Amendment Act of 2013".

6 Sec. 2042. Section 3(c)(2) of the District of Columbia Unemployment Compensation
7 Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-103(c)(2)), is amended
8 by adding a new subparagraph (F) to read as follows:

9 "(F) Commencing with overpayments of benefits established after
10 September 30, 2013, no employer shall be relieved of benefit charges for payments made from
11 the District Unemployment Fund if the charges resulted from benefit payments made because the
12 employer or the employer's agent was at fault for failing to respond timely or adequately to the
13 request of the Director for information relating to the claim for benefits and the employer or
14 agent has established a pattern of failing to respond timely or adequately to such requests unless
15 the Director finds such failure was for good cause."

16 **SUBTITLE F. WORKERS' COMPENSATION AVERAGE WEEKLY WAGE**

17 **CALCULATION ALIGNMENT**

18 Sec. 2051. Short title.

19 This subtitle may be cited as the "Workers' Compensation Average Weekly Wage
20 Calculation Alignment Amendment Act of 2013".

21 Sec. 2052. Section 6(d) of the District of Columbia Workers' Compensation Act of 1979,
22 effective July 1, 1980 (D.C. Law 3-77; D. C. Official Code § 32-1505(d)), is amended to read as
23 follows:

24 "(d) For the purposes of this section, the average weekly wage of insured employees in
25 the District shall be determined by the Mayor as follows:

26 "(1) For the calendar year 2013, the average weekly wage rate is set at \$1,416.00.

1 "(2) For years commencing after January 1, 2013, on or before November 1st of
2 each preceding year, the total wages reported on contribution reports for employees, excluding
3 employees of the District government and the United States government, to the Department of
4 Employment Services for the year ending on the preceding June 30th shall be divided by the
5 average number of such employees (determined by dividing the sum of total employees reported
6 in each quarter for the preceding year, excluding employees of the District government and the
7 United States government, by 4). The average annual wage thus obtained shall be divided by 52
8 and the average weekly wage thus determined rounded to the nearest cent. The average weekly
9 wage as so determined shall be applicable for the year beginning the following January 1".

10 **SUBTITLE G. WAGE THEFT PREVENTION**

11 Sec. 2061. Short title.

12 This subtitle may be cited as the "Wage Theft Prevention Amendment Act of 2013".

13 Sec. 2062. An Act to provide for the payment and collection of wages in the District of
14 Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is
15 amended as follows:

16 (a) Section 1(3) (D.C. Official Code § 32-1301(3)) is amended to read as follows:

17 "(3) "Wages" means all monetary compensation after lawful deductions, owed by
18 an employer, whether the amount owed is determined on a time, task, piece, commission, or
19 other basis of calculation. The term "wages" includes a:

20 "(A) Bonus;

21 "(B) Commission;

22 "(C) Fringe benefits paid in cash;

23 "(D) Overtime premium; and

24 "(E) Other remuneration promised or owed:

25 "(i) Pursuant to a contract for employment, whether written or oral;

26 "(ii) Pursuant to a contract between an employer and another
27 person or entity; or

1 (iii) Pursuant to District or federal law."

2 (b) Section 3(4) (D.C. Official Code § 32-1303(4)) is amended by striking the phrase
3 "equal to the unpaid wages" and inserting the phrase "equal to double the unpaid wages" in its
4 place.

5 (c) Section 5 (D.C. Official Code § 32-1305) is amended as follows:

6 (1) The existing language is designated as subsection (a).

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

8 "(b) In enforcing the provisions of this act, the Mayor shall presume that the wages
9 promised by an employer to an employee to be at least the amount required by federal law,
10 including federal laws requiring the payment of prevailing wages, or by District law."

11 (d) Section 6(a) (D.C. Official Code § 32-1306(a)) is amended as follows:

12 (1) Strike the phrase "for penalties" and insert the phrase "for the payment of
13 wages, liquidated damages, and penalties" in its place.

14 (2) A new sentence is added to the end to read as follows: "The Mayor shall
15 inform any employee affected by a prosecution brought under this section of the proceedings of
16 the prosecution and shall consult with the employee concerning appropriate restitution and
17 damages."

18 Sec. 2063. Section 13(f) of the Minimum Wage Act Revision Act of 1992, effective
19 March 25, 1993 (D.C. Law 19-248; D.C. Official Code § 32-1012(f)), is amended by striking the
20 phrase "wages owed" and inserting the phrase "wages and liquidated damages owed" in its place.

21 Sec. 2064. Section 108 of the Living Wage Act of 2006, effective June 8, 2006 (D.C.
22 Law 16-118; D.C. Official Code § 2-220.08), is amended as follows:

23 (a) Strike the phrase "wages required" and insert the phrase "wages, enforcement of non-
24 payment, and penalties and remedies for non-payment required" in its place.

25 (b) A new sentence is added to the end to read as follows: "Failure to pay wages in
26 conformance with this act shall constitute unpaid wages and shall subject the violator to all
27 procedures, liquidated damages and penalties, and any other remedies or relief applicable under

1 An Act To provide for the payment and collection of wages in the District of Columbia,
2 approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*).".

3 **SUBTITLE H. HOUSING PRODUCTION TRUST FUND REVENUE**

4 **DEDICATION**

5 Sec. 2071. Short title.

6 This subtitle may be cited as the "Housing Production Trust Fund Revenue Dedication
7 Amendment Act of 2013".

8 Sec. 2072. Section 2072 of the Fiscal Year 2013 Budget Support Act of 2012, effective
9 September 20, 2012 (D.C. Law 19-168; 59 DCR 8025), is repealed.

10 **SUBTITLE I. SENIOR HOUSING MODERNIZATION GRANT FUND**

11 Sec. 2081. Short title.

12 This subtitle may be cited as the "Senior Housing Modernization Grant Fund Amendment
13 Act of 2013".

14 Sec. 2082. The Senior Housing Modernization Grant Fund Act of 2010, effective August
15 12, 2010 (D.C. Law 18-218; D.C. Official Code § 1-325.161 *et seq.*), is amended as follows:

16 (a) Section 2(1) (D.C. Official Code § 1-325.161(1)) is amended to read as follows:

17 "(1) "Director" means the Director of the Department of Housing and Community
18 Development.".

19 (b) Section 3(b) (D.C. Official Code § 1-325.162(b)) is amended as follows:

20 (1) Strike the phrase "Deputy Mayor" and insert the word "Director" in its place.

21 (2) Strike the phrase "\$5,000" and insert the phrase "\$20,000" in its place.

22 (3) Add the following sentence at the end: "Administration of grants from the
23 Fund shall be exempt from the requirements set forth in the Grant Administration Act of 2013,
24 passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199).".

25 (c) Section 4 (D.C. Official Code 1-325.163) is amended as follows:

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

1 "(a) An applicant is eligible for a grant if the applicant is a qualified senior citizen;
2 provided, that the Director shall give priority consideration to lower-income applicants."

3 (2) Strike the term "Deputy Mayor" wherever it appears and insert the term
4 "Director" in its place.

5 (d) Section 5 (D.C. Official Code § 1-325.164) is amended by striking the phrase
6 "provisions of this act" and inserting the phrase "provisions of this act within 60 days of the
7 effective date of the Senior Housing Modernization Grant Fund Amendment Act of 2013" in its
8 place.

9 **SUBTITLE J. LOCAL RENT SUPPLEMENT SUSTAINMENT**

10 Sec. 2091. This subtitle may be cited as the "Local Rent Supplement Sustainment
11 Amendment Act of 2013".

12 Sec. 2092. Section 26c of the District of Columbia Housing Authority Act of 1999,
13 effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a
14 new subsection (c) to read as follows:

15 "(c) As vouchers authorized under this section become vacant, they shall be reissued in
16 accordance with the provisions of this section."

17 Sec. 2093. The Homeless Services Reform Act of 2005, effective October 22, 2005
18 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 8c
19 to reads as follows:

20 "Sec. 8c. Placement of first priority homeless families for the hypothermia season.

21 "The Mayor and the District of Columbia Housing Authority shall fill vacant Rent
22 Supplement Program tenant-based vouchers, established by section 26c of the District of
23 Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C.
24 Official Code § 6-228), with homeless families referred by the Department of Human Services
25 and determined to have first priority to shelter pursuant to 29 DCMR § 2508.01(a)(1), through
26 the end of the 2013-2014 hypothermia season. The referrals shall be made in accordance with the
27 special eligibility criteria set forth in 29 DCMR § 2556 through 29 DCMR § 2558."

1 **SUBTITLE K. WALTER REED ARMY MEDICAL CENTER COMMUNITY**
2 **ADVISORY COMMITTEE**

3 Sec. 2101. This subtitle may be cited as the "Walter Reed Army Medical Center
4 Community Advisory Committee Amendment Act of 2013".

5 Sec. 2102. The Walter Reed Army Medical Center Base Realignment and Closure
6 Homeless Assistance Submission Approval Act of 2012, effective October 16, 2012 (D.C. Law
7 19-175; D.C. Official Code § 10-1901 *et seq.*), is amended by adding a new section 6a to read as
8 follows:

9 "Sec. 6a. Establishment of advisory committee.

10 "(a) There is established a Walter Reed Army Medical Center Site Reuse Advisory
11 Committee ("Committee").

12 "(b)(1) The Committee shall consist of the following 9 members:

13 "(A) The Master Developer or the Master Developer's designee;

14 "(B) The Deputy Mayor for Planning and Economic Development or the
15 Deputy Mayor's designee;

16 "(C) The Chairman of the Council or the Chairman's designee;

17 "(D) The Councilmember from Ward 4 or the Councilmember's designee;

18 "(E) Three community members, appointed by the Mayor, one member
19 each from the Brightwood, Shepherd Park, and Takoma communities;

20 "(F) One member of ANC4A chosen by ANC4A; and

21 "(G) One member of ANC4B chosen by ANC4B.

22 "(2) Members of the Committee appointed pursuant to sub-paragraph (1)(E) of
23 this subsection shall have expertise in economic development, public safety, law, transportation,
24 affirmative action, or local community issues.

25 "(3) Each member of the Committee shall be a District resident.

26 "(4) The Chairperson of the Committee shall be designated by the Mayor.

27 "(5) Members shall serve without compensation.

1 "(6) Members shall serve until replaced by their appointing authority.

2 "(c) The Committee shall advise the LRA and Master Developer with respect to the
3 following:

4 "(1) The needs of the community, including providing retail uses that are
5 accessible to the community that serve the needs of both the community and visitors to the
6 Walter Reed Army Medical Center Site, and adequate security in and around the Walter Reed
7 Army Medical Center Site;

8 "(2) Parking issues, including parking for persons using or employed at the Walter
9 Reed Army Medical Center Site and the prevention of parking in the surrounding neighborhoods
10 by non-residents of those neighborhoods;

11 "(3) Transportation issues, including:

12 "(A) Proposals for directing traffic to and from the Walter Reed Army
13 Medical Center Site away from the surrounding residential streets;

14 "(B) Providing a method of truck staging to minimize any adverse impact
15 on the surrounding neighborhoods;

16 "(C) Restricting the parking of trucks, trailers, and buses at the Walter
17 Reed Medical Center Site or other areas outside of the area surrounding the Walter Reed Medical
18 Center Site; and

19 "(D) Providing adequate pull-off areas for taxicabs, buses, and shuttles;

20 "(4) Economic-development opportunities that may be created for surrounding
21 neighborhoods as a result of the reuse of the Walter Reed Army Medical Center Site;

22 "(5) The development of environmental guidelines, including the mitigation of
23 adverse noise and air-quality impacts;

24 "(6) Any request for proposal or contract modification for economic-
25 development projects, streetscape or pedestrian movement projects, and transportation or parking
26 projects; and

1 "(7) Other issues directly related to the operation or redevelopment or reuse of the
2 Walter Reed Army Medical Center Site that are likely to have an impact on the community.

3 "(d) A quorum of the Committee shall meet at least 6 times per year.

4 "(e) For purposes of this section, the term "Master Developer" means the real-estate-
5 development team selected by the Walter Reed LRA to implement the Walter Reed Reuse Plan.

6 "(f) This section shall sunset as of December 31, 2017."

7 **SUBTITLE L. FOSTER YOUTH TRANSIT SUBSIDY**

8 Sec. 2111. This subtitle may be cited as the "Foster Youth Transit Subsidy Amendment
9 Act of 2013".

10 Sec. 2112. Section 2 of the School Transit Subsidy Act of 1978, effective March 3, 1979
11 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended as follows:

12 (a) Subsection (c) is amended as follows:

13 (1) Paragraph (2) is amended by striking the semicolon and inserting the phrase
14 "; and" in its place.

15 (2) Paragraph (3) is amended by striking the phrase "; and" and inserting a period
16 in its place.

17 (3) Paragraph (4) is repealed.

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

19 "(f)(1) Youth in the District's foster care system shall be eligible for a foster-youth
20 transit-subsidy program ("Program") as established by the Mayor until they reach 21 years of
21 age.

22 "(2) The Program shall allow qualified foster youth to travel on Metrobus,
23 Metrorail, and public transportation services offered by the District at subsidized or reduced
24 fares.

25 "(3) The subsidized or reduced foster-youth fare set forth in this subsection shall
26 be valid only for the transportation of foster youth for educational or employment purposes."

27 **SUBTITLE M. HOUSING PRODUCTION TRUST FUND SECURITIZATION**

1 Sec. 2121. Short title.

2 This subtitle may be cited as the "Housing Production Trust Fund Securitization
3 Amendment Act of 2013".

4 Sec. 2122. The Housing Production Trust Fund Act of 1988, effective March 16, 1989
5 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*), is amended as follows:

6 (a) Section 3(b-2) (D.C. Official Code § 42-2802(b-2)) is repealed.

7 (b) Section 203 (D.C. Official Code § 42-2812.03) is amended by adding a new
8 subsection (e) to read as follows:

9 "(e) After May 1, 2013, the Housing Production Trust Fund established pursuant to
10 section 3 may not be used to support the new issuance of bonds under subsection (a) of this
11 section."

12 **SUBTITLE N. AFRICAN-AMERICAN CIVIL WAR MEMORIAL FREEDOM**
13 **FOUNDATION INC. MUSEUM DEVELOPMENT**

14 Sec. 2131. Short title.

15 This subtitle may be cited as the "African-American Civil War Memorial Freedom
16 Foundation Inc., Museum Development Act of 2013".

17 Sec. 2132. Grimke School covenant.

18 (a) Notwithstanding any rule, regulation, or other law to the contrary, the District may not
19 convey, exchange, lease, sell, transfer, or otherwise dispose to any person of the real property
20 located at 1925 Vermont Avenue, N.W., known for tax and assessment purposes as Lot 0827,
21 Square 0361 ("the Grimke School"), unless the District places a covenant that provides for the
22 exclusive use, renovation, and expansion of a space of not less than 10,000 square feet for the
23 establishment and operation of the African-American Civil War Memorial Museum and Visitor's
24 Center.

25 (b) The covenant required under this section shall:

26 (1) Be binding upon the person and the person's heirs, successors, and assigns,
27 and upon occupiers or users of the Grimke School;

1 (2) Run with the land both as to benefit and as to burden; and

2 (3) Run with the land in perpetuity.

3 Sec. 2133. Restriction on disposal.

4 The Mayor may not transmit, pursuant to section 1 of An Act Authorizing the sale of
5 certain real estate in the District of Columbia no longer required for public purposes, approved
6 August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), or otherwise, any disposition of the
7 Grimke School that does not include a provision that ensures that exclusive use, renovation, and
8 expansion of a space not less than 10,000 square feet for the establishment and operation of an
9 African American Civil War Memorial Museum and Visitor's Center.

10 **SUBTITLE O. NOMA PARKS GRANT AUTHORIZATION**

11 Sec. 2141. Short title.

12 This subtitle may be cited as the "NoMa Parks Grant Authorization Act of 2013".

13 Sec. 2142. Grant for NoMa Public Parks authorized.

14 (a) The Director of the Department of General Services ("DGS") may issue grants to the
15 NoMa BID, the NoMa Parks Foundation, or a related Friends of NoMa Parks organization to
16 acquire land and build public parks and public space in accordance to the NoMa Public Realm
17 Design Plan from the funds made available to DGS.

18 (b) Notwithstanding the provisions of D.C. Official Code §47-368.06, grants may be
19 issued pursuant to this section through use of an intra-District transfer, a memorandum of
20 understanding, or a reprogramming from an agency lacking grant-making authority.

21 (c) This subtitle shall be administered pursuant to the requirements set forth in the Grant
22 Administration Act of 2013, passed on first reading on May 22, 2013 (subtitle J of Title I of Bill
23 20-199).

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

25 **SUBTITLE A. DEPARTMENT OF CORRECTIONS CENTRAL CELLBLOCK**
26 **MANAGEMENT**

1 Sec. 3001. Short title.

2 This subtitle may be cited as the "Department of Corrections Central Cellblock
3 Management Amendment Act of 2013".

4 Sec. 3002. Section 2 of An Act To create a Department of Corrections in the District of
5 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02), is amended
6 by adding a new subsection (a-1) to reads as follows:

7 "(a-1)(1) The Department of Corrections shall have charge of the management and
8 operation of the Central Cellblock, located at 300 Indiana Avenue, N.W., Washington, D.C., and
9 shall be responsible for the safekeeping, care, and protection of all persons detained at the
10 Central Cellblock, by the Metropolitan Police Department, before their initial court appearance.

11 "(2) Nothing in this subsection shall be construed as:

12 "(A) Removing any authority from the Metropolitan Police Department to
13 determine where to hold in custody any person arrested and awaiting an initial court appearance;

14 "(B) Granting any arrest powers to any employee of the Department of
15 Corrections performing any duty at the Central Cellblock; or

16 "(C) Limiting any powers or authority of the Metropolitan Police
17 Department or the Department of Corrections."

18 Sec. 3003. Transfers.

19 All property, records, unexpended balances of appropriations, allocations, and other
20 funds required for the management and operation of the Central Cellblock at 300 Indiana
21 Avenue, N.W., Washington, D.C. are hereby transferred from the Metropolitan Police
22 Department to the Department of Corrections.

23 **SUBTITLE B. SECURITY LICENSE STREAMLINING**

24 Sec. 3011. Short title.

25 This subtitle may be cited the "Security Licensing Streamlining Act of 2013".

26 Sec. 3012. Chapter 28 of Title 47 of the District of Columbia Official Code is amended
27 as follows:

1 (a) Section 47-2839 is amended by adding a new subsection (g) to read as follows:

2 "(g) All license fees collected pursuant to this section shall be deposited into the
3 Occupations and Professions Licensing Special Account established pursuant to § 47-2853.11."

4 (b) Section 47-2839.01 is amended by adding a new subsection (f) to read as follows:

5 "(f) All license fees collected pursuant to this section shall be deposited into the
6 Occupations and Professions Licensing Special Account established pursuant to § 47-2853.11."

7 (c) Section 47-2853.11 is amended as follows:

8 (1) Subsection (a) is amended by striking the phrase "identified in this
9 subchapter" and inserting the phrase "identified in §§ 47-2839 and 47-2839.01, and this
10 subchapter" in its place.

11 (2) Subsection (c) is amended by striking the phrase "this subchapter" wherever it
12 appears and inserting the phrase "§§ 47-2839 and 47-2839.01, and this subchapter" in its place.

13 (3) Subsection (d) is amended by striking the phrase "this subchapter" and
14 inserting the phrase "§§ 47-2839 and 47-2839.01, and this subchapter" in its place.

15 **SUBTITLE C. AUTOMATED TRAFFIC ENFORCEMENT ENHANCEMENT**

16 Sec. 3021. Short title.

17 This subtitle may be cited as the "Automated Traffic Enforcement Enhancement
18 Amendment Act of 2013".

19 Sec. 3022. Section 604c(2) of the Emergency and Non-Emergency Number Telephone
20 Calling Systems Fund Act of 2000, effective September 20, 2012 (D.C. Law 19-168; D.C.
21 Official Code § 34-1803.03(2)), is amended to read as follows:

22 "(2) From fines paid due to automated photo enforcement in any one fiscal year:

23 "(A) Aggregate revenues in excess of \$105,791,000 in fiscal year 2013;

24 "(B) Aggregate revenues in excess of \$141,348,000 in fiscal year 2014;

25 "(C) Aggregate revenues in excess of \$155,812,000 in fiscal year 2015;

26 and

1 "(D) Aggregate revenues in excess of \$148,020,000 in fiscal year 2016;
2 and

3 "(E) Aggregate revenues in excess of \$140,618,000 in fiscal year 2017
4 and in each fiscal year thereafter."

5 **SUBTITLE D. DOMESTIC VIOLENCE HOTLINE ESTABLISHMENT**

6 Sec. 3031. Short title.

7 This act may be cited as the "Domestic Violence Hotline Establishment Act of 2013".

8 Sec. 3032. Definitions.

9 For the purposes of this subtitle, the term:

10 (1) "Domestic violence" means a pattern of abusive behavior in any relationship
11 that is used by one partner to gain or maintain power and control over another intimate partner,
12 dating partner, or family member. Domestic violence includes physical, sexual, emotional,
13 economic, or psychological actions or threats of actions that influence another person. This
14 consists of any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize,
15 coerce, threaten, blame, hurt, injure, or wound someone.

16 (2) "Domestic violence counselor" shall have the same meaning as provided in
17 D.C. Official Code § 14-310(a)(2).

18 (3) "Domestic violence program" shall have the same meaning as provided in
19 D.C. Official Code § 14-310(a)(3).

20 (4) "Hotline" means the Domestic Violence Hotline program established by
21 section 3033.

22 (5) "Office" means the Office of Victim Services, established by Mayor's Order
23 2004-119, issued July 19, 2004 (51 DCR 7997).

24 Sec. 3033. Domestic Violence Hotline.

25 (a) The Office shall establish the Domestic Violence Hotline to provide assistance for
26 victims and potential victims of domestic violence beginning October 1, 2014.

27 (b)(1) The Hotline shall:

1 (A) Be operated by a domestic violence program funded and supported by
2 the Office;

3 (B) Provide a direct toll-free number that accepts calls and text messages;

4 (C) Be directly available to callers, without an intermediary agency;

5 (D) Be available on a 24-hour basis;

6 (E) Provide live assistance by domestic violence counselors; and

7 (F) Offer anonymity and confidentiality to enable a victim or a friend or
8 family member of a victim to seek support without giving their legal name.

9 (2) The requirements of paragraph (1)(F) of this subsection shall not be construed
10 to limit or supersede any mandatory reporting requirements under District law.

11 (c) The Office shall develop and implement an outreach campaign to educate District
12 residents about the Hotline.

13 Sec. 3034. Task Force.

14 (a) Beginning October 1, 2013, the Office shall establish a taskforce to:

15 (1) Assess staff and technology needs of the Hotline; and

16 (2) Develop mechanisms for administration of the Hotline; and

17 (3) Develop standards that coincide with the standards used by the existing
18 domestic violence first responder line.

19 (b) The taskforce shall include representatives from the D.C. Coalition Against Domestic
20 Violence, governmental victim services programs, and domestic violence programs.

21 (c) By January 30, 2014, the taskforce shall transmit to the Office and to the Office of the
22 Secretary to the Council a report that includes the assessments and developments completed
23 pursuant to subsection (a) of this section.

24 **SUBTITLE E. JUVENILE WORKING GROUP ESTABLISHMENT**

25 Sec. 3041. Short title.

26 This subtitle may be cited as the "Alternatives to Juvenile Arrest and Secured Detention
27 Working Group Establishment Act of 2013".

1 Sec. 3042. Alternatives to Juvenile Arrest and Secured Detention Working Group
2 establishment.

3 (a) There is established an Alternatives to Juvenile Arrest and Secured Detention
4 Working Group ("Working Group").

5 (b) The Working Group shall be convened by the following:

6 (1) The Attorney General for the District of Columbia; and

7 (2) The City Administrator.

8 (c) The Working Group shall include the following members or their designees:

9 (1) The Chief of Police;

10 (2) The Director of the Child and Family Services Agency;

11 (3) The Director of the Department of Behavioral Health;

12 (4) The Chancellor of the District of Columbia Public Schools;

13 (5) Director, Department of Youth Rehabilitation Services;

14 (6) The Executive Director of the District of Columbia Public Charter School
15 Board;

16 (7) The Chief of the District of Columbia Public Schools Patrol Services Division;

17 (8) The Executive Director of the Criminal Justice Coordinating Council;

18 (9) The Chairperson of the Council Committee on the Judiciary and Public Safety;

19 (10) The Chairperson of the Council Committee on Human Services; and

20 (11) Representatives from public agencies, community-based, nonprofit
21 organizations, and educational institutions that represent court-involved youth in delinquency
22 matters in the District or conduct research on local juvenile justice issues.

23 (d) The Working Group shall invite the Chief Judge of the Family Court of the Superior
24 Court of the District of Columbia or his designee to participate.

25 Sec. 3043. Responsibilities of working group.

26 The Working Group shall:

1 (1) Review data regarding juvenile arrests in the District from at least January
2 2011 to present as the basis for its review, analysis, and recommendations. The juvenile arrest
3 data review should also include a review of the number and type of arrests made that arise from
4 school-based or school-related incidents;

5 (2) Review data regarding the Youth Services Center population from at least
6 January 2011 to present as the basis for its review, analysis, and recommendations;

7 (3) Develop and propose a differential response policy, program, and budget for
8 juvenile arrests with the goal of diverting more youth from arrest, prosecution, overnight
9 detention, or pre-trial detention. In doing so, the group shall consider the policies and practices of
10 the Annie E. Casey Foundation's Juvenile Detention Alternative Initiatives and other innovative
11 programs, such as the Florida Juvenile Civil Citation program, that are consistent with positive
12 public safety and youth development outcomes; and

13 (4) Review policies guiding the detention of probation violators and assessment of
14 youth posing a public-safety risk or risk to himself or herself.

15 Sec. 3044. Report.

16 No later than February 28, 2014, the Working Group shall submit a report to the Mayor
17 and the Council that includes recommendations for diversion and detention-policy changes,
18 practices, and proposed budget.

19 Sec. 3045. Expiration.

20 This subtitle shall expire 30 days after the submission of the report required by section
21 3044.

22 **SUBTITLE F. FIRE AND EMERGENCY MEDICAL SERVICES OVERTIME**
23 **LIMITATION**

24 Sec. 3061. Short title.

25 This subtitle may be cited as the "Fire and Emergency Medical Services Overtime
26 Limitation Amendment Act of 2013".

1 Sec. 3062. Section 1103(f) of the District of Columbia Government Comprehensive
2 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code
3 § 1-611.03(f)), is amended as follows:

4 (a) Paragraph (2)(B) is amended as follows:

5 (1) Strike the phrase "2012, and 2013" and insert the phrase "2012, 2013, and
6 2014" in its place.

7 (2) Strike the phrase "Battalion Fire Chief and above in the Firefighting Division"
8 and insert the phrase "Deputy Fire Chief and above in the Firefighting Division" in its place.

9 (b) Paragraph (4)(A) is amended by striking the phrase "2012, and 2013" and inserting
10 the phrase "2012, 2013, and 2014" in its place.

11 Sec. 3063. Section 2 of An Act To amend the Act entitled "An Act to classify the officers
12 and members of the Fire Department of the District of Columbia, and for other purposes",
13 approved June 20, 1906, and for other purposes, approved June 19, 1948 (62 Stat. 498; D.C.
14 Official Code § 5-405), is amended as follows:

15 (a) Subsection (f) is amended as follows:

16 (1) Designate the existing text as paragraph (1).

17 (2) The newly designated paragraph (1) is amended by striking the phrase "2012,
18 and 2013" and insert the phrase "2012, 2013, and 2014" in its place.

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

20 "(2) For the purposes of this subsection, the computation of hours shall not
21 include annual leave or sick leave utilized by the member."

22 (b) Subsection (g) is repealed.

23 Sec. 3064. Section 202(c) of the Omnibus Public Safety Agency Reform Amendment Act
24 of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-441(c)), is
25 amended by striking the phrase "2012, and 2013" and inserting the phrase "2012, 2013, and
26 2014" in its place.

27 **SUBTITLE G. RETURNING CITIZENS CLARIFICATION**

1 Sec. 3061. Short title.

2 This subtitle may be cited as the "Returning Citizens Renaming Amendment Act of
3 2013".

4 Sec. 3062. The Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-
5 Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; 24-
6 1301 *et seq.*), is amended as follows:

7 (a) Section 2 (D.C. Official Code § 24-1301) is amended as follows:

8 (1) Paragraph (1) is amended by striking the phrase "Commission on Re-entry and
9 Ex- Offender Affairs" and inserting the phrase "Commission on Re-Entry and Returning Citizen
10 Affairs" in its place.

11 (2) Paragraphs (2) and (4) are amended by striking the phrase "Office on Ex-
12 Offender Affairs" and inserting the phrase "Office on Returning Citizen Affairs" in its place.

13 (b) Section 3 (D.C. Official Code § 24-1302) is amended as follows:

14 (1) The heading and subsection (a) are amended by striking the phrase "Office on
15 Ex-Offender Affairs" and inserting the phrase "Office on Returning Citizen Affairs" in its place.

16 (2) Strike the phrase "ex-offenders" wherever it appears and insert the phrase
17 "returning citizens" in its place.

18 (c) Section 4 (D.C. Official Code § 24-1303) is amended as follows:

19 (1) The heading is amended by striking the phrase "Commission on Re-Entry and
20 Ex-Offender Affairs" and inserting the phrase "Commission on Re-Entry and Returning Citizen
21 Affairs" in its place.

22 (2) Subsection (a) is amended by striking the phrase "Commission on Re-entry
23 and Ex-Offender Affairs" and inserting the phrase "Commission on Re-Entry and Returning
24 Citizen Affairs" in its place.

25 (3) Strike the phrase "ex-offenders" wherever it appears and insert the phrase
26 "returning citizens" in its place.

27 (4) Subsection (b)(8) is amended by striking the phrase "and returning citizens".

| Grade Level | Weighting | Per Pupil Allocation in FY 2014 |
|--------------------------|------------------|--|
| Pre-School | 1.34 | \$12,470 |
| Pre-Kindergarten | 1.30 | \$12,098 |
| Kindergarten | 1.30 | \$12,098 |
| Grades 1-3 | 1.00 | \$9,306 |
| Grades 4-5 | 1.00 | \$9,306 |
| Grades 6-8 | 1.03 | \$9,585 |
| Grades 9-12 | 1.16 | \$10,795 |
| Alternative program | 1.17 | \$10,888 |
| Special education school | 1.17 | \$10,888 |
| Adult | 0.75 | \$6,980 |

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

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

4 "General Education Add-ons:

5

| "Level/ Program | Definition | Weighting | Per Pupil FY 2014 |
|----------------------------|---|------------------|----------------------------------|
| "LEP/NEP | Limited and non-English proficient students | 0.45 | \$4,188 |
| "Summer | An accelerated instructional program in the summer for students who do not meet literacy standards pursuant to promotion policies of the District of Columbia Public Schools and public charter schools | 0.17 | \$1,582 |

6 "Special Education Add-ons:

7

| Level/ Program | Definition | Weighting | Per Pupil FY 2014 |
|----------------------------------|---|------------------|------------------------------|
| "Level 1: Special Education | Eight hours or less per week of specialized services | 0.58 | \$5,397 |
| "Level 2: Special Education | More than 8 hours and less than or equal to 16 hours per school week of specialized services. | 0.81 | \$7,538 |
| "Level 3: Special Education | More than 16 hours and less than or equal to 24 hours per school week of specialized services | 1.58 | \$14,703 |
| "Level 4: Special Education | More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement | 3.10 | \$28,849 |
| "Special Education Capacity Fund | Weighting provided in addition to special education level add-on weightings on a per student basis for each student identified as eligible | 0.40 | \$3,722 |

| | | | |
|--------------|---|------|----------|
| | for special education. | | |
| "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 | 1.70 | \$15,820 |

1 "Residential Add-ons:

2

| "Level/ Program | Definition | Weighting | Per Pupil FY 2014 |
|--|---|------------------|------------------------------|
| "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 | 0.374 | \$3,480 |
| "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 | 1.360 | \$12,656 |
| "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 | 2.941 | \$27,369 |
| "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 | 2.924 | \$27,211 |
| "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 | 0.68 | \$6,328 |

3 "Special Education Add-ons for Students with Extended School Year ("ESY") Indicated

4 in Their Individualized Education Programs ("IEPs"):

5

| "Level/ Program | Definition | Weighting | Per Pupil FY 2014 |
|--------------------------------------|--|------------------|------------------------------|
| "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. | 0.064 | \$596 |
| "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 | 0.231 | \$2,150 |

| | | | |
|--------------------------------|---|-------|-----------|
| "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 | 0.500 | \$4,653 |
| "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 | 0.497 | \$4,625". |

1 **SUBTITLE B. PUBLIC CHARTER SCHOOL PAYMENT IMPROVEMENT**

2 Sec. 4021. Short title.

3 This subtitle may be cited as the "Public Charter Schools Payment Improvement
4 Amendment Act of 2013".

5 Sec. 4022. Section 107b of the Uniform Per Student Funding Formula for Public Schools
6 and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C.
7 Official Code § 38-2906.02), is amended as follows:

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

9 (1) Strike the phrase "4 equal".

10 (2) Strike the phrase "October 15" and insert the phrase "October 25" in its place.

11 (b) Subsection (b) is amended as follows:

12 (1) The introductory text is amended by striking the phrase "Each payment shall
13 be one-fourth of each public charter school's entitlement, determined" and inserting the phrase
14 "Payments shall be determined" in its place.

15 (2) Paragraph (1) is amended by striking the period and inserting the phrase "and
16 shall be 30% of the school's entitlement." in its place.

17 (3) Paragraph (2) is amended as follows:

18 (A) Strike the phrase "and January 15 payments" and insert the word
19 "payment" in its place.

20 (B) Strike the phrase "October 5" and insert the phrase "October 5 and
21 shall be equal to 55% of the school's entitlement less amounts paid in July" in its place.

22 (4) Paragraph (3) is amended to read as follows:

1 "(3) The basis of the January 15 payment shall be the unaudited October
2 enrollment numbers for that school contained in reports submitted by the eligible chartering
3 authorities on October 5 and shall be equal to 80% of the school's entitlement less amounts paid
4 in July and October."

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

6 "(4) The basis of the April 15 payment shall be the audited October enrollment
7 numbers and shall be equal to 100% of the school's entitlement less amounts paid in July,
8 October, and January; provided, that these amounts shall be adjusted in accordance with the
9 provisions of subsection (c) of this section."

10 (c) Subsection (c) is amended by striking the phrase "October 15" and inserting the
11 phrase "October 25" in its place.

12 (d) Subsection (d) is amended as follows:

13 (1) The existing text is designated as paragraph (1).

14 (2) The newly designated paragraph (1) is amended by striking the phrase "such
15 students" and inserting the phrase "such students, as set forth in subsection (g) of this section" in
16 its place.

17 (3) New paragraphs (2) and (3) are added to read as follows:

18 "(2)(A) Payments for summer school shall be made by the Chief Financial Officer
19 on April 15 on the basis of a funding schedule from the District of Columbia Public Charter
20 School Board listing each charter school offering a summer school program in accordance with
21 the requirements of section 2401(b)(3)(B) of the District of Columbia School Reform Act of
22 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code §38-1804.01(b)(3)(B)).

23 "(B) The Office of the State Superintendent of Education shall certify
24 enrollment projections based upon information contained in the state education longitudinal data
25 system that form the basis of the funding schedule. The payment amount shall be equal to 75%
26 of the total summer school entitlement for each charter school.

1 "(C) Not later than August 25 of each year, the Office of the State
2 Superintendent of Education shall certify the final actual summer school enrollment for each
3 charter school. The final payment for summer school will be issued to each charter school not
4 later than September 30 of each year and shall be equal to the remainder of the school's
5 entitlement.

6 "(3) Payments for the Special Education Extended School Year add-on shall be
7 made in-full to each charter school by the Chief Financial Officer following certification of the
8 actual enrollment for each school by the Office of the State Superintendent of Education."

9 **SUBTITLE C. STATE ATHLETIC ACTIVITIES, PROGRAMS, AND OFFICE**
10 **FUND**

11 Sec. 4031. Short title.

12 This subtitle may be cited as the "State Athletic Activities, Programs, and Office Fund
13 Act of 2013".

14 Sec. 4032. Advertisements and sponsorships.

15 (a) Notwithstanding any other provision of law, the Mayor, through the Office of the
16 State Superintendent of Education ("OSSE"), may enter into written agreements for
17 advertisements and sponsorships for state athletic office and athletic activities and programs,
18 including those organized or directed by the State Athletic Office of OSSE or the District of
19 Columbia State Athletic Association ("DCSAA") to supplement local funding of the DCSAA.

20 (b) The State Superintendent of Education may delegate, by written order, the authority
21 to contract for advertisements or sponsorships to officials within OSSE, including to the State
22 Athletic Officer.

23 (c) An agreement pursuant to this section shall not require the District to expend funds.

24 (d) Only advertisements shall be agreed to in exchange for corporate goods, services, or
25 currency.

1 (e) There shall be no limit to the value of goods, services, or currency that may be
2 received from a foreign organization registered or not outside of the District of Columbia or from
3 an individual domiciled outside of the District of Columbia.

4 (f) There shall be a one \$1,000 limit on the value of goods, services, and currency that
5 may be received during one school year from a domestic organization registered or not within
6 the District of Columbia or from an individual domiciled in the District of Columbia.

7 (g) Sponsorships and advertisements shall be memorialized by written agreement of the
8 parties.

9 (h) The Chief Financial Officer shall deposit all cash proceeds received from
10 advertisements and sponsorships pursuant to this section to the credit of OSSE in the State
11 Athletics Activities, Programs, and Office Fund established in section 4033 in the same manner
12 as that used for donations under section 115 of the District of Columbia Appropriations Act,
13 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01).

14 Sec. 4033. State Athletic Activities, Programs, and Office Fund.

15 (a) There is established as a special fund the State Athletic Activities, Programs, and
16 Office Fund ("Fund"), which shall be used solely as provided in subsection (b) of this section,
17 and which shall be administered by the State Superintendent of Education. The State
18 Superintendent of Education may designate or assign the authority to administer the Fund to an
19 entity within the Office of State Superintendent of Education, including the State Athletic Office
20 ("SAO").

21 (b)(1) The Fund shall be used to enhance the development of state interscholastic athletic
22 programs and competitions and to supplement the operations budget of the District of Columbia
23 State Athletic Association ("DCSAA"). The Statewide Director of Athletics shall prioritize
24 resources from the Fund to ensure well-designed and effective interscholastic athletic programs
25 and competitions.

1 (2) The Fund may be used for the financial support of state athletic programs and
2 competitions that are well-designed and effective and comply with National Federation of State
3 High School Associations standards and District laws and regulations, including for:

- 4 (A) Championship events;
- 5 (B) Equipment;
- 6 (C) Memorabilia;
- 7 (D) Training;
- 8 (E) Security;
- 9 (F) Awards; and
- 10 (G) Related operations.

11 (c) The Fund shall consist of the revenue from the following sources:

12 (1) Annual appropriations;

13 (2) Any proceeds resulting from athletic programs and activities organized or
14 directed by the SAO or DCSAA, or both, including:

- 15 (A) Sponsorships or advertisements;
- 16 (B) Ticket or merchandise sales;
- 17 (C) Fundraising activities;
- 18 (D) Competitions; or
- 19 (E) Other athletic programs and activities; and

20 (3) Interest earned on funds deposited into the Fund.

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

23 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
24 be continually available without regard to fiscal year limitation.

25 Sec. 4034. Rules.

26 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,
27 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules

1 to implement the provisions of this subtitle. The proposed rules shall be submitted to the
2 Council for a 30-day period of review, excluding Saturdays, Sundays, holidays, and days of
3 Council recess. If the Council does not approve or disapprove the proposed rules, by resolution,
4 within the 30-day period, the proposed rules shall be deemed approved.

5 Sec. 4035. Applicability.

6 This subtitle shall apply as of April 1, 2013.

7 **SUBTITLE D. UNIVERSITY OF DISTRICT OF COLUMBIA ACCREDITATION**

8 Sec. 4041. Short title.

9 This subtitle may be cited as the "University of the District of Columbia Accreditation
10 Amendment Act of 2013".

11 Sec. 4042. Section 201 of the District of Columbia Public Postsecondary Education
12 Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-
13 1202.01), is amended as follows:

14 (a) The lead-in language of subsection (c) is amended to read as follows:

15 "(c) The Board of Trustees shall consist of 15 voting members, selected in accordance
16 with this subsection, and 4 non-voting members, selected in accordance with subsection (o) of
17 this section:".

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

19 "(o)(1) Beginning with fiscal year 2014, the Board of Trustees shall include 4 non-voting
20 members, who have an expertise in community colleges. These 4 members shall provide
21 guidance to the Board in the accreditation process for the University of the District of Columbia
22 Community College and shall be nominated by the Mayor with the advice and consent of the
23 Council.

24 "(2) This subsection shall expire on September 30, 2017.".

25 Sec. 4043. Section 4042 of the University of the District of Columbia Community
26 College Autonomy Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official
27 Code § 38-1271.01, note), is amended by adding a new subsection (c) to read as follows:

1 "(c) By December 1, 2013, the University of the District of Columbia shall submit to the
2 Council a timeline, using existing resources, for the separate accreditation of the University of
3 the District of Columbia Community College. This timeline shall address the following areas:

4 "(1) Transition of financial and administrative independence in the areas of
5 student affairs and academic affairs of the University of the District of Columbia Community
6 College from the University of the District of Columbia;

7 "(2) Ability of the University of the District of Columbia Community College to
8 obtain self-sufficiency in the areas of admissions and financial aid;

9 "(3) A separate personnel classification of University of the District of Columbia
10 Community College employees;

11 "(4) Ability for the University of the District of Columbia Community College to
12 initiate and sustain its own academic programs;

13 "(5) A policy for the University of the District of Columbia Community College
14 Chief Executive Officer to regularly report to the University of the District of Columbia's Board
15 of Trustees regarding the University of the District of Columbia Community College's affairs;

16 "(6) A fully operational University of the District of Columbia Community
17 College foundation;

18 "(7) A financial plan for the University of the District of Columbia Community
19 College that addresses funding, resource planning, and allocation responsibilities;

20 "(8) Approval of degree-granting authority from the Office of the State
21 Superintendent for Education; and

22 "(9) Other evidence that the University of the District of Columbia Community
23 College is effectively fulfilling its mission and serving students in a manner consistent with
24 Middle States Commission on Higher Education's 10 requirements of affiliations and 14
25 accreditation standards."

26 Sec. 4044. In fiscal year 2014, of the funds allocated to Non-Departmental in Title III of
27 the Fiscal Year 2014 Budget Request Act of 2013, adopted on May 22, 2013 (Bill 19-198), an

1 amount of \$1 million shall be transferred to the University of the District of Columbia ("UDC")
2 if, by January 1, 2014, UDC raises an amount of \$1 million from private donations for the
3 purpose of meeting accreditation standards.

4 **SUBTITLE E. LIBRARY COLLECTIONS ACCOUNT**

5 Sec. 4051. Short title.

6 This subtitle may be cited as the "Library Collections Account Amendment Act of 2013".

7 Sec. 4052. An Act To establish and provide for the maintenance of a free public library
8 and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official
9 Code § 39-101 *et seq.*), is amended as follows:

10 (a) Section 7 (D.C. Official Code § 39-107) is amended by striking the phrase "into the
11 Books and Other Library Materials Account, established by section 14" and inserting the phrase
12 "into the Library Collections Account, established by section 14" in its place.

13 (b) Section 14 (D.C. Official Code § 39-114) is amended by striking the phrase "Books
14 and Other Library Materials Account" both times it appears and inserting the phrase "Library
15 Collections Account" in its place.

16 **SUBTITLE F. STATE BOARD PERSONNEL**

17 Sec. 4061. Short title.

18 This subtitle may be cited as the "State Board Personnel Amendment Act of 2013".

19 Sec. 4062. Section 903(a)(10) of the District of Columbia Government Comprehensive
20 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code
21 § 1-609.03(a)(10)), is amended to read as follows:

22 "(10) The State Board of Education may appoint staff to serve an administrative
23 role for the elected members of the Board; provided, that funding is available and that at least 3
24 full-time equivalent employees are appointed to the Office of Ombudsman for Public
25 Education."

26 **SUBTITLE G. ATTENDANCE ZONE BOUNDARIES**

27 Sec. 4071. Short title.

1 This subtitle may be cited as the "Attendance Zone Boundaries Act of 2013".

2 Sec. 4072. Attendance zone boundaries; establishment, modification, alteration.

3 Except as required due to a school closure or a consolidation of schools, upon the
4 effective date of this subtitle, notwithstanding any other law or regulation, no approved
5 establishment, modification, or alteration of any attendance zone boundary shall be implemented,
6 or in any manner initiated, until the 2015-2016 school year or with less notice than a full school
7 year to the parent or guardian of each affected student, whichever is greater.

8 **SUBTITLE H. PUBLIC EDUCATION MASTER FACILITIES PLAN**

9 **APPROVAL**

10 Sec. 4081. Short title.

11 This subtitle may be cited as the "Public Education Master Facilities Plan Approval Act
12 of 2013"

13 Sec. 4082. Pursuant to section 1104 of the School Based Budgeting and Accountability
14 Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D. C. Official Code § 38-2803), the
15 Council approves the 2013 Master Facilities Plan for public education facilities submitted by the
16 Mayor on March 28, 2013.

17 **SUBTITLE I. DEPUTY MAYOR FOR EDUCATION LIMITED GRANT-** 18 **MAKING AUTHORITY**

19 Sec. 4091. Short title.

20 This subtitle may be cited as the "Deputy Mayor for Education Limited Grant-Making
21 Authority Act of 2013".

22 Sec. 4092. Deputy Mayor for Education grant-making authority.

23 For fiscal year 2014, the Deputy Mayor for Education shall have grant-making authority
24 solely for the purpose of providing a capital grant of \$6 million for facility construction of a
25 language-immersion public-charter school serving middle and high school-aged students in the
26 District; provided, that the grant issued under this section shall be administered pursuant to the

1 requirements set forth in the Grant Administration Act of 2013, passed on first reading on May
2 22, 2013 (subtitle J of title I of Bill 20-199).

3 **SUBTITLE J. EDUCATION FUNDING FORMULA EQUITY**

4 Sec. 4101. Short title.

5 This subtitle may be cited as the "Education Funding Formula Equity Amendment Act of
6 2013".

7 Sec. 4102. Section 115 of the Uniform Per Student Funding Formula for Public Schools
8 and Public Charter Schools Act of 1998, effective September 24, 2010 (D.C. Law 18-223; D.C.
9 Official Code § 38-2913), is amended by striking the phrase "fiscal year 2014" and inserting the
10 phrase "fiscal year 2015" in its place.

11 **SUBTITLE K. SOUTH CAPITOL STREET MEMORIAL**

12 Sec. 4111. Short title.

13 This subtitle may be cited as the "South Capitol Street Memorial Amendment Act of
14 2013".

15 Sec. 4112. Section 601 of the South Capitol Street Memorial Act of 2012, effective June
16 7, 2012 (D.C. Law 19-141; 59 DCR 3083), is amended to read as follows:

17 "Sec. 601. Applicability.

18 "Sections 302(b)(1)(A) and (C) and 304(b)(1)(D) shall apply to public charter schools
19 upon the inclusion of the fiscal effect of applying those provisions to the public charter schools
20 in an approved budget and financial plan, as certified by the Chief Financial Officer to the
21 Budget Director of the Council in a certification published by the Council in the District of
22 Columbia Register."

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

24 **SUBTITLE A. DC HEALTHCARE ALLIANCE PRESERVATION**

25 Sec. 5001. Short title.

1 This subtitle may be cited as the "DC HealthCare Alliance Preservation Amendment Act
2 of 2013".

3 Sec. 5002. Section 7(c)(2) of the Health Care Privatization Amendment Act of 2001,
4 effective March 2, 2007 (D.C. Law 16-92; D.C. Official Code § 7-1405(c)(2)), is amended to
5 read as follows:

6 "(2) A contract between the District and a health-maintenance organization or a
7 managed-care organization that provides health-care services to persons enrolled in the DC
8 HealthCare Alliance shall include coverage for all services, including hospital-based services,
9 being provided to DC HealthCare Alliance enrollees as of January 1, 2013; provided, that the
10 Department of Health Care Finance shall have the authority to exclude coverage for those
11 hospital-based emergency services that are eligible for Medicaid reimbursement under section
12 401(b)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,
13 approved August 21, 1996 (110 Stat. 502; 8 U.S.C. § 1611(b)(1)(A)), section 1903(v)(3) of the
14 Social Security Amendments Act of 1965, approved July 30, 1965 (79 Stat. 286; 42 U.S.C.
15 §1396b(v)(3)), and 42 C.F.R. § 440.255(c)".

16 **SUBTITLE B. DEPARTMENT OF HEALTH CARE FINANCE**
17 **ESTABLISHMENT**

18 Sec. 5011. Short title.

19 This subtitle may be cited as the "Department of Health Care Finance Establishment
20 Amendment Act of 2013".

21 Sec. 5012. 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 6a to read as follows:

24 "Sec. 6a. Assessment Fund.

25 "(a) There is established as a special fund the Assessment Fund ("Fund"), which shall be
26 administered by the Department of Health Care Finance in accordance with subsection (c) of this
27 section.

1 "(b) The fund shall consist of revenue from the following sources:

2 "(1) User fees; and

3 "(2) Enrollment fees.

4 "(c) The Fund shall be used for the following purposes:

5 "(1) Administration and maintenance of the Department's provider operations;

6 "(2) Enrollment activities; and

7 "(3) Health information exchange activities.

8 "(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
9 unrestricted fund balance of the General Fund at the end of a fiscal year, or at any other time.

10 "(2) Subject to authorization by Congress, any funds appropriated in the Fund
11 shall be continually available without regard to fiscal year limitation."

12 **SUBTITLE C. STEVIE SELLOWS INTERMEDIATE CARE FACILITY**

13 **QUALITY IMPROVEMENT**

14 Sec. 5021. Short title.

15 This subtitle may be cited as the "Stevie Sellows Intermediate Care Facility Quality
16 Improvement Act of 2013".

17 Sec. 5022. Chapter 12D of Title 47 of the District of Columbia Official Code is amended
18 as follows:

19 (a) Section 47-1270 is amended as follows:

20 (1) Designate paragraph (1) as paragraph (1B).

21 (2) New paragraphs (1) and (1A) are added to read as follows:

22 "(1) "Administrative costs" means the costs of DHCF to administer, manage, and
23 monitor the Intermediate Care Facility for People with Intellectual Disabilities reimbursement
24 program and the Stevie Sellows quality improvement funding support, including personnel costs.

25 "(1A) "DHCF" means the Department of Health Care Finance."

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

1 "(2A) "ICF/IID" means Intermediate Care Facility for People with Intellectual
2 Disabilities."

3 (4) Paragraph (4) is amended by striking the phrase "the Department of Health"
4 and inserting the acronym "DHCF" in its place.

5 (5) A new paragraph (5A) is added to read as follows:

6 "(5A) "Rebasing year" means the third year after the effective date of the State
7 Plan Amendment governing the reimbursement of ICF/IID and every subsequent third year."

8 (b) Section 47-1271 is amended as follows:

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

10 "(b) The Fund shall be used to:

11 "(1) Fund quality of care improvements for those facilities that meet the
12 requirements of the District's State Plan for Medical Assistance and the accompanying rules
13 governing the reimbursement of ICF/IID.

14 "(2) Cover administrative costs of the DHCF in administering the ICF/IID
15 reimbursement program and the Stevie Sellows quality improvement funding support, which
16 costs shall not be more than 10% of the Fund's total revenues; and

17 "(3) Cover administrative costs of DHCF in auditing the ICF/IID in a rebasing
18 year or as necessary to ensure the integrity of the ICF/IID reimbursement methodology, which
19 costs shall not be more than 15% of the Fund's total revenues."

20 (2) Subsection (c) is amended by striking the phrase "ICD/IDD" and inserting the
21 phrase "ICF/IID" in its place.

22 (d) Section 47-1273 is amended to read as follows:

23 "(a) Except as provided in section 47-1278(d), each ICF/IID in the District of Columbia
24 shall pay an assessment of 5.5% of the gross revenues per annum.

25 "(b) Each ICF/IID shall pay the assessment required by subsection (a) of this section in
26 quarterly installments.

1 "(c) The Mayor shall provide notice of the amount of the assessment for the quarter to
2 each ICF/IID no later than 30 days after the end of each quarter.

3 "(d) The assessment required by subsection (a) of this section shall be determined by the
4 Medicaid claims information from the DHCF Medicaid Management Information System
5 ("MMIS").

6 "(e) If the total amount of the assessments to be collected for a fiscal year is inadequate to
7 cover disbursements required under § 47-1271(b), the Mayor may raise the assessment to the
8 maximum allowed under federal law."

9 (e) Section 47-1274(b) is repealed.

10 **SUBTITLE D. DEVELOPMENTAL DISABILITIES SERVICE MANAGEMENT**

11 **REFORM**

12 Sec. 5031. Short title.

13 This subtitle may be cited as the "Developmental Disabilities Service Management
14 Reform Amendment Act of 2013".

15 Sec. 5032. The Department on Developmental Disabilities Establishment Act of 2006,
16 effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended
17 by adding a new section 105a to read as follows:

18 "Sec. 105a. Ticket to Work Employment Network Fund.

19 "There is established as a special fund the Ticket to Work Employment Network Fund
20 ("Fund"), which shall be administered by DDS in accordance with subsection (c) of this section.

21 "(b) The fund shall consist of revenue from payments from the Social Security
22 Administration as an Employment Network for the Ticket to Work and Self-Sufficiency Program
23 (Pub. L. 106-170, the "Ticket to Work and Work Incentives Improvement Act of 1999").

24 "(c) The Fund shall be used for the Ticket to Work and Self-Sufficiency Program;
25 provided, that to the extent that payments received from the Social Security Administration
26 represent administrative or other fee payments, those amounts shall be available to DDS to

1 defray the costs and expenses associated with administering the program or for any other purpose
2 as determined by the Director

3 "(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the
4 unrestricted fund balance of the General Fund at the end of a fiscal year, or at any other time.

5 "(2) Subject to authorization by Congress, any funds appropriated in the Fund
6 shall be continually available without regard to fiscal year limitation."

7 **SUBTITLE E. MEDICAL ASSISTANCE PROGRAM**

8 Sec. 5041. Short title.

9 This subtitle may be cited as the "Medical Assistance Program Amendment Act of 2013".

10 Sec. 5042. Section 1(a)(3), (4), (5), and (6) of An Act to enable the District of Columbia
11 to receive Federal financial assistance under Title XIX of the Social Security Act for a medical
12 assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C.
13 Official Code § 1-307.02 (a)(3), (4), (5), and (6)), are repealed.

14 **SUBTITLE F. DEPARTMENT OF HUMAN SERVICES' CONFORMING**
15 **AMENDMENTS**

16 Sec. 5051. Short title.

17 This subtitle may be cited as the "Department of Human Services Conforming
18 Amendments Act of 2013".

19 Sec. 5052. The District of Columbia Public Assistance Act of 1982, effective April 6,
20 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

21 (a) Section 101(5A)(b) (D.C. Official Code § 4-201.01(5A)(B)) is amended by striking
22 the phrase "18 years of age, a full-time student in a secondary school or in the equivalent level of
23 vocational or technical training, and who is expected to graduate from such school or training by
24 the person's 19th birthday" and inserting the phrase "less than 19 years of age and is a full-time
25 student in a secondary school (or in the equivalent level of vocational or technical training)" in
26 its place.

27 (b) Section 515 (D.C. Official Code § 4-205.15), is amended as follows:

1 (1) Subsection (a)(2) is amended by striking the phrase "or age 18 and expected to
2 complete high school before reaching age 19" and inserting the phrase "or under age 19 and are
3 full-time students in a secondary school (or in the equivalent level of vocational or technical
4 training)" in its place.

5 (2) Subsection (b) is amended by striking the phrase "the Mayor shall determine
6 the meaning of the term "full-time student", shall determine which vocational or technical
7 training courses are equivalent to the level of secondary school, and shall determine which
8 factors will be considered in deciding whether an individual may reasonably be expected to
9 complete the program of study or training before reaching age 19" and inserting the phrase "the
10 Mayor shall determine the meaning of the term "full-time student" and shall determine which
11 vocational or technical training courses are equivalent to the level of secondary school" in its
12 place.

13 **SUBTITLE G. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION**

14 Sec. 5061. Short title.

15 This subtitle may be cited as the "Department of Health Functions Clarification
16 Amendment Act of 2013".

17 Sec. 5062. Section 4907a of the Department of Health Functions Clarification Act of
18 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended
19 by adding new subsections (c) and (d) to read as follows:

20 "(c) For fiscal year 2014, the Director of the Department of Health shall have the
21 authority to issue grants to:

22 "(1) Qualified community organizations for the purpose of providing the
23 following services:

24 "(A) Ambulatory health services for an amount not to exceed \$3,236,980;

25 "(B) Poison control hotline and prevention education services for an
26 amount not to exceed \$350,000; and

1 "(C) Operations and primary care services for school-based health clinics
2 for an amount not to exceed \$2,250,000; and

3 "(2) Organizations for the purpose of providing the following programs and
4 services:

5 "(A) A teen pregnancy prevention program for an amount not to exceed
6 \$400,000;

7 "(B) Programs designed to promote healthy development in girls attending
8 public and chartered schools in grades 9-12 located in areas of the city possessing the highest
9 rates of teen pregnancy and highest enrollment in state-funded health programs in the District of
10 Columbia, not to exceed \$400,000;

11 "(C) Farmers market incentive programs not to exceed \$200,000;

12 "(D) Food-pantry services, not to exceed \$52,000;

13 "(E) Wildlife rehabilitation services not to exceed \$200,000; and

14 "(F) Nonprofit organizations dedicated to preventing any of the following
15 chronic diseases, not to exceed \$850,000:

16 "(i) Asthma;

17 "(ii) Cancer;

18 "(iii) Diabetes;

19 "(iv) Hypertension;

20 "(v) Kidney disease; and

21 "(vi) Obesity.

22 "(d)(1) All grants issued pursuant to subsection (c) of this section shall be administered
23 pursuant to the requirements set forth in the Grant Administration Act of 2013, passed on first
24 reading on May 22, 2013 (subtitle J of title I of Bill 20-199).

25 “(2) The Department of Health shall submit a quarterly report to the Secretary to
26 the Council on all grants issued pursuant to the authority granted in subsection (c) of this
27 section.”.

1 **SUBTITLE H. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL**

2 **PAYMENT**

3 Sec. 5071. Short title.

4 This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment
5 Act of 2013".

6 Sec. 5072. Definitions.

7 For the purposes of this subtitle, the term:

8 (1) "Department" means the Department of Health Care Finance.

9 (2) "Gross patient revenue" means the amount calculated in accordance with
10 generally accepted accounting principles for hospitals that is reported as the sum of Worksheet
11 G-2; Column 1; Lines 1, 2, 2.01, 15, 17 and 18 and Worksheet G-2; Column 2; Lines 17, 18,
12 18.5 and 18.51 of the Medicare Cost Report (2552-96) excluding long-term care inpatient
13 ancillary revenues.

14 (3) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the
15 Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of
16 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but
17 excludes:

18 (A) Any hospital operated by the federal government; and

19 (B) A psychiatric hospital provider that is an agency or a unit of the
20 District government is exempt from the fee imposed under this act, unless the exemption is
21 adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital
22 provider that is an agency or a unit of the District government shall pay the fee imposed by this
23 act.

24 (4) "Hospital system" means any group of hospitals licensed separately but
25 operated, owned, or maintained by a common entity.

26 (5) "Medicaid" means the medical assistance programs authorized by title XIX of
27 the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by

1 section 1 of An Act To enable the District of Columbia to receive Federal financial assistance
2 under title XIX of the Social Security Act for a medical assistance program, and for other
3 purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and
4 administered by the Department of Health Care Finance.

5 Sec. 5073. Hospital Provider Fee Fund.

6 (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which
7 shall be administered by the Department and used in accordance with subsection (c) of this
8 section effective May 1, 2013.

9 (b) The Fund shall consist of revenue from the following sources:

10 (1) All moneys collected or received by the Department from the hospital
11 provider fee imposed by this subtitle;

12 (2) All federal matching funds received by the Department as a result of
13 expenditures made by the Department that are attributable to moneys deposited in the Fund;

14 (3) Interest and penalties collected under this subtitle; and

15 (4) Interest earned by the Fund.

16 (c) Notwithstanding any other provision of law, the Fund may only be used for the
17 following purposes:

18 (1) For making Medicaid outpatient hospital access payments to hospitals as
19 required under section 5076;

20 (2) For payment of administrative expenses incurred by the Department or its
21 agent in performing the activities authorized by this subtitle at an amount not to exceed the
22 prorated amount of \$150,000 annually; and,

23 (3) For making refunds to hospital providers pursuant to section 5074.

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

26 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
27 be continually available without regard to fiscal year limitation.

1 (e) The Fund shall not be used to replace any moneys appropriated to the Medicaid
2 program.

3 Sec. 5074. Hospital provider fee.

4 (a) Subject to section 5075, the District may charge a fee to at a uniform rate on the gross
5 patient revenue of each hospital beginning May 1, 2013. The District may charge the fee
6 retroactively to May 1, 2013, upon the effective date of this subtitle. The uniform rate shall be
7 applied to each hospital's gross patient revenue as derived from each hospital's filed Medicare
8 cost report ending between July 1, 2009, and June 30, 2010. The hospital provider fee is applied
9 at a uniform rate necessary to generate the following:

10 (1) An amount equal to the non-Federal share of the total available spending room
11 under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Years
12 ("DFY") 2013 and 2014 consistent with the federal approval of the authorizing Medicaid State
13 Plan amendment; plus,

14 (2) An amount equal to the lesser of the non-Federal share of the total available
15 spending room under the Medicaid upper payment limit for District operated hospitals applicable
16 to DFY 2013 and 2014 consistent with the federal approval of the authorizing Medicaid State
17 Plan amendment or United Medical Center's Medicaid disproportionate share hospital limit as
18 adjusted by the District in accordance with the federally approved State plan; plus,

19 (3) An amount equal to the Department's administrative expenses as described in
20 section 5073(d)(2).

21 Sec. 5075. Applicability.

22 (a) The fee imposed by section 5074 shall not be due and payable until such time that the
23 federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan
24 amendment authorizing the Medicaid payments described in section 5076 of this subtitle.

25 (b) The fee imposed by section 5074 shall cease to be imposed, and any moneys
26 remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid
27 by them, if:

1 (1) The Department makes changes in its rules that reduce the hospital
2 inpatient or outpatient Medicaid payment rates, including adjustment payment rates, in effect
3 on October 1, 2012; or

4 (2) The payments to hospitals required under section 5076 of this subtitle are
5 modified in any way other than to secure federal approval of such payments as described in
6 section 5076 of this act or are not eligible for federal matching funds under Title XIX of the
7 Social Security Act.

8 (c) The fee imposed by section 5074 shall not take effect or shall cease to be imposed if
9 such fee is determined to be an impermissible tax under Title XIX of the Social Security Act.

10 (d) Should the fee imposed by section 5074 not take effect or cease to be imposed,
11 moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section
12 5076 of this subtitle to the extent federal matching is available. If federal matching is not
13 available due to a determination by the Centers for Medicare and Medicaid Services that the
14 provider fee is impermissible, any remaining moneys shall be refunded to hospital providers in
15 proportion to the amounts paid by them.

16 **Sec. 5076. Medicaid Outpatient Hospital Access Payments.**

17 (a) For visits and services beginning May 1, 2013, quarterly Medicaid outpatient hospital
18 access payments shall be made to each private hospital. Each payment will be equal to the
19 hospital's DFY 2011 outpatient Medicaid payments divided by the total private hospital DFY
20 2011 outpatient Medicaid payments multiplied by one quarter of the total outpatient private
21 hospital access payment pool minus \$250,000. The total outpatient private hospital access
22 payment pool is equal to the total available spending room under the private hospital outpatient
23 Medicaid upper payment limit for DFY 2013 and 2014 respectively.

24 (b) The remaining \$250,000 shall be distributed as an adjustment to the quarterly access
25 payments for all private children's hospitals with less than 150 beds and distributed based on the
26 hospital's DFY 2011 outpatient Medicaid payments relative to the total qualifying hospitals' DFY
27 2011 outpatient Medicaid payments.

1 (c) Any private hospital that is also a Disproportionate Share Hospital ("DSH") will
2 receive no more than the available room under their District-adjusted hospital-specific DSH
3 limit. Any Medicaid outpatient hospital access payments that would otherwise exceed a private
4 disproportionate share hospital's adjusted DSH limit shall be distributed to the remaining private
5 hospitals consistent with each private hospital's relative share of DFY 2011 Medicaid payments.

6 (d) For visits and services beginning May 1, 2013, outpatient hospital access payments
7 shall be made to the United Medical Center. Each payment will be equal to one quarter of the
8 total outpatient public hospital access payment pool. The total outpatient public hospital access
9 payment pool is equal to the lesser of the total available spending room under the District
10 operated hospital outpatient Medicaid upper payment limit for DFY 2013 and 2014 respectively
11 and the United Medical Center District-adjusted Medicaid DSH limit.

12 (e) The quarterly Medicaid outpatient hospital access payments will be made within 15
13 business days of the end of each DFY quarter for the Medicaid visits and services rendered
14 during that quarter.

15 (f) No payments shall be made under this section until such time that the federal Centers
16 for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing
17 the Medicaid payments described in this act.

18 (g) The Medicaid payment methodologies authorized under this act shall not be altered in
19 any way unless such alteration is necessary to gain federal approval from the Centers for
20 Medicare and Medicaid Services.

21 Sec. 5077. Quarterly notice and collection.

22 (a) The fee will be due and payable by the 15th of the last month of each DFY quarter.

23 (b) The fee imposed under section 5074 shall be calculated, due, and payable on a
24 quarterly basis, shall not be due and payable until:

25 (1) The District issues the written notice that the payment methodologies to
26 hospitals required under section 5076 have been approved by the federal Centers for Medicare
27 and Medicaid Services;

1 (2) The District issues written notice to each hospital informing the hospital of its
2 fee rate, gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis;
3 and,

4 (3) The initial written notice from the District shall include all fee amounts owed
5 beginning with the period May 1, 2013 in order to ensure all applicable fee obligations have been
6 identified.

7 (d) When a hospital fails to pay the full amount of its fee by the date required, the unpaid
8 balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be
9 added to the unpaid balance. The Chief Financial Officer may arrange a payment plan for the
10 amount of the fee and interest in arrears.

11 (e) The payment by the hospital of the fee created in this subtitle shall be reported as an
12 allowable cost for purposes of Medicaid hospital reimbursement.

13 Sec. 5078. Multi-hospital systems, closure, merger and new hospitals.

14 (a) If a hospital system conducts, operates, or maintains more than one hospital licensed
15 by the Department of Health, the provider shall pay the fee for each hospital separately.

16 (b) Notwithstanding any other provision in this subtitle, in the case of a person who
17 ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to the
18 fee under this act as a hospital provider, the fee for the DFY in which the cessation occurs shall
19 be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator
20 of which is the number of days in the year during which the provider conducts, operates, or
21 maintains the hospital and the denominator of which is 365. Immediately upon ceasing to
22 conduct, operate, or maintain a hospital, the person shall pay the fee for the year as so adjusted
23 (to the extent not previously paid).

24 (c) Notwithstanding any other provision in this subtitle, a provider who conducts,
25 operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed
26 under section 5074 and section 5078(a) in installments on the due dates stated in the notice and

1 on the regular installment due dates for the DFY occurring after the due dates of the initial
2 notice.

3 Sec. 5079. Rules.

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

7 Sec. 5080. Applicability; sunset.

8 (a) This subtitle shall apply as of May 1, 2013.

9 (b) This subtitle shall sunset as of September 30, 2014.

10 **SUBTITLE I. DEPARTMENT OF PARKS AND RECREATION O-TYPE**

11 Sec. 5101. Short title.

12 This subtitle may be cited as the "Department of Parks and Recreation O-Type
13 Amendment Act of 2013".

14 Sec. 5102. Section 4(c)(2) of the Recreation Act of 1994, effective March 23, 1995 (D.C.
15 Law 10-246; D.C. Official Code§ 10-303(c)(2)), is amended to read as follows:

16 "(2) The money deposited into the Fund, and interest earned, shall not revert to
17 the unrestricted fund balance of the General Fund at the end of a fiscal year, or at any other
18 time."

19 **SUBTITLE J. DEPARTMENT OF BEHAVIORAL HEALTH ESTABLISHMENT**

20 Sec. 5111. Short title.

21 This subtitle may be cited as the "Department of Behavioral Health Establishment Act of
22 2013".

23 Sec. 5112. Definitions.

24 For the purposes of this subtitle, the term:

25 (1) "Behavioral health" means a person's overall social, emotional, and
26 psychological well-being and development.

1 (2) "Behavioral health services" means stand-alone and co-occurring, integrated
2 treatment services for substance abuse and mental health disorders that are designed to promote a
3 person's behavioral health.

4 (3) "Comprehensive Psychiatric Emergency Program" or "CPEP" means a 24-
5 hour/7-days a week program providing emergency psychiatric evaluation and stabilization.

6 (4) "Department" means the Department of Behavioral Health.

7 (5) "Director" means the Director of the Department of Behavioral Health.

8 (6) "Recovery" means a process of change through which individuals improve
9 their health and wellness, live a self-directed life, and strive to reach their full potential.

10 (7) "Recovery support services" means substance abuse treatment, care
11 coordination, and community-based support that promote recovery.

12 (8) "Substance abuse" means a pattern of pathological use of a drug or alcohol
13 that causes impairment in social or occupational functioning or produces physiological
14 dependency evidenced by physical tolerance or physical symptoms when the drug or alcohol is
15 not used.

16 Sec. 5113. Establishment of the Department of Behavioral Health.

17 (a) There is established as a separate, cabinet-level Department, subordinate to the
18 Mayor, the Department of Behavioral Health.

19 (b) The Department shall be the successor-in-interest to the Department of Mental
20 Health, established by the Department of Mental Health Establishment Amendment Act of 2001,
21 effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*), and the
22 Department of Health Addiction Recovery and Prevention Administration, established in the
23 Department of Health by the Reorganization Plan No. 4 of 1996.

24 Sec. 5114. Appointment of Director.

25 The Department shall be headed by a Director, who shall:

1 (1) Be appointed by the Mayor with the advice and consent of the Council,
2 pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-
3 142; D.C. Official Code § 1-523.01(a));

4 (2) Be qualified by experience and training to carry out the purposes of the
5 Department as set forth in section 5116; and

6 (3) Serve at the pleasure of the Mayor.

7 Sec. 5115. Duties of Director.

8 In addition to other duties as may be lawfully imposed, the Director shall supervise and
9 direct the Department, organize the Department for its efficient operation including creating
10 offices within the Department, as necessary, and exercise any other powers necessary and
11 appropriate to implement the provisions of this subtitle.

12 Sec. 5116. Purpose of the Department.

13 The Department shall:

14 (1) Ensure the provision of high-quality behavioral health services by establishing
15 District-wide behavioral health standards and policies;

16 (2) Foster and promote behavioral health education and disease prevention;

17 (3) Provide high-quality prevention, treatment, and recovery support services
18 related to mental health disorders, addictions and the abuse of alcohol, tobacco, and other drugs
19 in the District;

20 (4) Develop and maintain an efficient and cost-effective behavioral health care
21 financing system; and

22 (5) Implement, monitor and evaluate the District's strategic behavioral health
23 plan.

24 Sec. 5117. Powers and duties of the Department.

25 Notwithstanding any other provision of law, the Department shall:

26 (1) Plan, develop, coordinate, and monitor comprehensive and integrated
27 behavioral health systems of care for adults and for children, youth, and their families in the

1 District, so as to maximize utilization of behavioral health services and behavioral health
2 supports;

3 (2) Assure that services for priority populations identified in the Department's
4 annual plan are funded within the Department's appropriations or authorizations by Congress and
5 are available;

6 (3) Serve as the state mental health authority and arrange for all authorized,
7 publicly funded behavioral health services and behavioral health supports for the residents of the
8 District, whether operated directly by, or through contract with, the Department; provided that
9 the Department of Youth Rehabilitation Services ("DYRS") shall be responsible for the delivery
10 of behavioral health services to youth in custody in DYRS secure facilities;

11 (4) Serve as the single state agency for substance abuse services and promulgate
12 rules, regulations, and certification standards for high-quality prevention, treatment, and recovery
13 support services related to addictions and the abuse of alcohol, tobacco, and other drugs in the
14 District of Columbia;

15 (5) Maximize and leverage local, federal, and other available funding to support
16 behavioral health prevention, treatment, and recovery support services;

17 (6) Directly operate a hospital to provide inpatient mental health services, and
18 maintain the hospital's certification by the Department of Health and the United States
19 Department of Health and Human Services, Centers for Medicare and Medicaid Services;

20 (7) Make grants, pay subsidies, purchase services, and provide reimbursement for
21 behavioral health services and behavioral health supports; provided that any grants shall be
22 administered pursuant to the requirements set forth in the Grant Administration Act of 2013,
23 passed on first reading on May 22, 2013 (subtitle J of title I of Bill 20-199);

24 (8) Arrange for, or directly provide, a Comprehensive Psychiatric Emergency
25 Program ("CPEP") for all persons identified to the Department who meet criteria for admission
26 for such services;

1 (9) Arrange for a 24-hour, District-wide telephone communication service to
2 provide intervention services for adults, children, and youth in need of behavioral health services
3 and behavioral health supports including observation, evaluation, emergency treatment, and,
4 when necessary, referral for behavioral health services and behavioral health supports;

5 (10) Be the exclusive agency to regulate all behavioral health services and
6 behavioral health supports, including outpatient behavioral health services and all substance
7 abuse and detoxification services;

8 (11) Facilitate the delivery of acute inpatient behavioral health services and
9 behavioral health supports through community or public hospitals in the District, including
10 coordinating comprehensive behavioral health services and behavioral health supports for
11 children, youth, and their families;

12 (12) Upon request or on its own initiative, investigate, or ask another agency to
13 investigate, any complaint alleging abuse or neglect of any consumer of behavioral health
14 services, and, if the investigation by the Department or an investigation by any other agency or
15 entity substantiates the charge of abuse or neglect, take appropriate action to correct the situation,
16 including notification of other appropriate authorities; and

17 (13) Exercise all other powers, duties, functions, and responsibilities previously
18 assigned to the Department of Mental Health pursuant to the Department of Mental Health
19 Establishment Amendment Act of 2001, effective Dec. 18, 2001 (D.C. Law 14-56; D.C. Official
20 Code § 7-1131.01, *et seq.*), and to the Department of Health Addiction Recovery and Prevention
21 Administration pursuant to Reorganization Plan No. 4 of 1996, effective July 17, 1996 (D.C.
22 Official Code, Vol. 3).

23 Sec. 5118. Transfer of authority, functions, property, and personnel.

24 The following powers, duties, functions, and responsibilities are hereby transferred to the
25 Department of Behavioral Health, effective October 1, 2013:

26 (1) All real and personal property, Career and Excepted Service, Management
27 Supervisory Service, trainee positions, assets, records, obligations, unexpended balances of

1 appropriations, allocations, and other funds available or to be made available to the Department
2 of Mental Health and the Department of Health Addiction Prevention and Recovery
3 Administration, or relating to the powers, duties, functions, operations, and administration set
4 forth in section 5117 of this subtitle;

5 (2) All of the functions assigned and authorities granted and delegated to the
6 Director of the Department of Mental Health, and the Department of Mental Health, as set forth
7 in the Department of Mental Health Establishment Amendment Act of 2001, effective December
8 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*); and

9 (3) All of the functions assigned and authorities granted and delegated to the
10 Department of Health Addiction Recovery and Prevention Administration as set forth in section
11 IV(A)(3) of Reorganization Plan No. 4 of 1996, effective July 17, 1996 (D.C. Official Code, Vol.
12 3).

13 Sec. 5119. Continuation of rules and regulations.

14 All rulemaking and regulations for the administration of the District's public mental
15 health system and the addiction, recovery and prevention system, issued under appropriate
16 authority, shall continue in full force and effect until otherwise superseded.

17 Sec. 5120. Construction and abolishment.

18 (a) To the extent any provision of the Department of Mental Health Establishment
19 Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code
20 § 7-1131.01 *et seq.*), is inconsistent with a provision of this subtitle, the provision of this subtitle
21 shall govern and shall be deemed to supersede the inconsistent provision.

22 (b) The Department of Health Addiction Recovery and Prevention Administration as set
23 forth in section IV(A)(3) of Reorganization Plan No. 4 of 1996, effective July 17, 1996 (D.C.
24 Official Code, Vol. 3), is abolished.

25 **SUBTITLE K. PUBLIC ASSISTANCE**

26 Sec. 5131. Short title.

1 This subtitle may be cited as the "District of Columbia Public Assistance Amendment
2 Act 2013".

3 Sec. 5132. Section 5173 of the Temporary Assistance for Needy Families Time Limit
4 Amendment Act of 2012, effective September 20, 2012 (D.C. Law 19-168; 59 DCR 8025), is
5 repealed as of October 1, 2013."

6 **SUBTITLE L. DEPARTMENT OF HUMAN SERVICES MEMORANDUM OF**
7 **UNDERSTANDING AUTHORITY FOR SUBSTANCE ABUSE TREATMENT**

8 Sec. 5141. Short title.

9 This subtitle may be cited as the "Department of Human Services Memorandum of
10 Understanding Authority for Substance Abuse Treatment Act of 2013".

11 Sec. 5142. For fiscal year 2014, the Department of Human Services ("DHS") may enter
12 into a Memorandum of Understanding of up to \$2.5 million with the Department of Behavioral
13 Health ("DBH") for a substance abuse treatment program for Temporary Assistance for Needy
14 Families ("TANF") clients. DHS shall work with DBH, other agencies, and community-based
15 experts as necessary to establish an integrated system of care for TANF beneficiaries living with
16 barriers including mental health disorders, alcohol and substance abuse, and HIV/AIDS. DHS
17 shall present the integrated system of care plan to the Committee on Human Services no later
18 than December 1, 2013.

19 **SUBTITLE M. PUBLIC ASSISTANCE HUMAN IMPACT**

20 Sec. 5151. Short title.

21 This subtitle may be cited as the "Public Assistance Human Impact Amendment Act of
22 2013".

23 Sec. 5152. Section 511c of the District of Columbia Public Assistance Act of 1982,
24 effective April 8, 2011 (D.C. Law 4-101; D.C. Official Code § 4-205.11c), is amended as
25 follows:

26 (a) The introductory text is amended by striking the phrase "Within 60 days of January
27 19, 2011" and inserting the phrase "Within 120 days of October 1, 2013" in its place.

1 (b) Paragraph (3) is amended as follows:

2 (1) Strike the number "35" and insert the number "100" in its place.

3 (2) Subparagraph (D) is amended by striking the phrase "Court Social Services or
4 Department of Youth Rehabilitation Services" and inserting the phrase "Child and Family
5 Services Agency, Department of Human Services, Court Social Services, or Department of
6 Youth Rehabilitation Services" in its place.

7 **SUBTITLE N. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TIME**

8 **LIMIT**

9 Sec. 5161. Short title.

10 This subtitle may be cited as the "Temporary Assistance for Needy Families Time Limit
11 Amendment Act of 2013".

12 Sec. 5162. Section 5163 of the Temporary Assistance for Needy Families Time Limit
13 Amendment Act of 2012, effective September 20, 2012 (D.C. Law 19-168; 59 DCR 8025), is
14 repealed as of October 1, 2013.

15 Sec. 5163. The District of Columbia Public Assistance Act of 1982, effective April 6,
16 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

17 (a) Section 205(d) (D.C. Official Code § 4-202.05(d)) is amended to read as follows:

18 "(d) Within 30 days of the effective date of the Temporary Assistance for Needy Families
19 Time Limit Amendment Act of 2013, as introduced on April 1, 2013 (D.C. Bill 20-199) ("Time
20 Limit Act"), the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
21 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue
22 rules to implement the provisions of the Time Limit Act."

23 (b) Section 511b(c)(1) (D.C. Official Code 4-205.11b(c)(1)) is amended by striking the
24 number "2012" and inserting the number "2013" in its place.

25 (c) Section 572a(a) (D.C. Official Code 4-205.72a(a)) is amended as follows:

26 (1) The lead-in language is amended by striking the number "2012" and inserting
27 the number "2013" in its place.

1 (2) Paragraph (2)(C) is amended by striking the phrase "waived;" and inserting
2 the phrase "waived; or".

3 (3) Paragraph (3)(D) is amended by striking the phrase "old; or" and inserting the
4 phrase "old." in its place.

5 (4) Paragraph (4) is repealed.

6 **SUBTITLE O. INTERIM DISABILITY ASSISTANCE**

7 Sec. 5161. Short title.

8 This subtitle may be cited as the "Interim Disability Assistance Amendment Act of
9 2013".

10 Sec. 5162. Section 407(d)(3)(C) of the District of Columbia Public Assistance Act of
11 1982, effective April 3, 2001 (D.C. Law 13-252; D.C. Official Code § 4-204.07 (d)(3)(C)) is
12 amended to read as follows:

13 "(C) For purposes of this paragraph, the final decision of the Social Security
14 Administration shall be the decision of the Disability Determination Division or Administrative
15 Law Judge."

16 Sec. 5163. This subtitle shall not be construed as affecting the meaning of a final decision
17 of the Social Security Administration for applications pending at the Social Security
18 Administration before the effective date of this subtitle.

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

20 **SUBTITLE A. SAFETY-BASED TRAFFIC ENFORCEMENT FINE REDUCTION**

21 Sec. 6001. Short title.

22 This subtitle may be cited as the "Safety-Based Traffic Enforcement Fine Reduction
23 Amendment Act of 2013".

24 Sec. 6002. Section 105 of the Safety-Based Traffic Enforcement Amendment Act of
25 2012, returned unsigned by the Mayor on February 11, 2013 (D.C. Act 19-674; 60 DCR 2753),
26 is repealed.

1 Sec. 6003. Section 2600.1 of Title 18 of the District of Columbia Municipal Regulations
2 is amended as follows:

3 (a) The existing text under the subheading "Intersection" is amended by striking the
4 phrase "Failure to clear (including crosswalks) [§ 2201.11] \$100" and inserting the phrase
5 "Failure to clear (including crosswalks) [§ 2201.11] \$50" in its place.

6 (b) The subheading "Right turn on red" and existing text is amended to read as follows:

7 "Right turn on red

8 "Failure to come to a complete stop before turning [§ 2103.7] \$50

9 "Failure to yield right-of-way to vehicle or pedestrian [§ 2103.7] \$50

10 "Violation of "No Turn on Red" sign [§ 4013] \$50".

11 (c) The existing text under the subheading "Right-of-way" is amended by striking the
12 phrase "Failure to stop and give right-of-way to pedestrian in roadway [§ 2208] \$250" and
13 inserting the phrase "Failure to stop and give right-of-way to pedestrian in roadway [§ 2208]
14 \$75" in its place.

15 (d) The existing text under the subheading "Speeding" is amended to read as follows:

16 "Up to 10 mph in excess of limit [§ 2200] \$50

17 "11 to 15 mph in excess of limit [§ 2200] \$100

18 "16 to 20 mph in excess of limit [§ 2200] \$150

19 "21 to 25 mph in excess of limit [§ 2200] \$200

20 "Over 25 mph in excess of limit [§ 2200] \$300

21 "Minimum; driving too slowly [§ 2200.10] \$50

22 "Unreasonable [§ 2200.3] \$100".

23 **SUBTITLE B. DEPARTMENT OF MOTOR VEHICLES IMMOBILIZATION**

24 Sec. 6011. Short title.

25 This subtitle may be cited as the "DMV Immobilization Amendment Act of 2013".

1 Sec. 6012. Section 6(k) of the District of Columbia Traffic Act, 1925, approved March 3,
2 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(k)), is amended by adding a new
3 paragraph (5) to read as follows:

4 "(5) Before the removal of an immobilization mechanism on a motor vehicle or
5 the release of a motor vehicle from impoundment, the owner shall pay all outstanding fees,
6 charges, civil fines, or penalties, incurred pursuant to section 15(b)(2)(A) of the Compulsory/No
7 Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155;
8 D.C. Official Code § 31-2413(b)(2)(A)), sections 1 and 6 of An Act to provide for the annual
9 inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52
10 Stat. 78; D.C. Official Code §§ 50-1101 and 1106), sections 6, 7, and 8 of the District of
11 Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-
12 2201.03, 1401.01, and 1401.02, sections 2 and 3 of Title IV of the District of Columbia Revenue
13 Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code §§ 50-1501.02 and
14 1501.03), sections 105 and 304a of The District of Columbia Traffic Adjudication Act of 1978,
15 effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.05 and 50-
16 2303.04a), and section 9(a) of the Removal and Disposition of Abandoned and Other Unlawfully
17 Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official
18 Code § 50-2421.09), against the owner or any motor vehicle in which the owner has an
19 ownership interest or had an ownership interest when a notice of infraction was issued."

20 Sec. 6013. Section 9(a)(4) of the Removal and Disposition of Abandoned and Other
21 Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35;
22 D.C. Official Code § 50-2421.09(a)(4)), is amended to read as follows:

23 "(4) Making a payment in accordance with section 6(k)(5) of the District of
24 Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code
25 § 50-2201.03(k)(5));".

26 **SUBTITLE C. STORMWATER IN LIEU FEE SPECIAL FUND**

27 Sec. 6021. Short title.

1 This subtitle may be cited as the "Stormwater In-Lieu Fee Special Purpose Revenue Fund
2 Amendment Act of 2013".

3 Sec. 6022. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C.
4 Law 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended by adding a new section 10b to
5 read as follows:

6 "Sec. 10b. Stormwater In-Lieu Fee Payment Fund.

7 "(a) There is established as a special fund the Stormwater In-Lieu Fee Payment Fund
8 ("In-Lieu Fee Fund"), which shall be administered by the Mayor in accordance with subsection
9 (c) of this section.

10 "(b) The In-Lieu Fee Fund shall consist of revenue from payments to the In-Lieu Fee
11 Fund to achieve stormwater retention obligations of regulated properties, as required by the
12 Municipal Separate Storm Sewer System permit issued to the District by the Environmental
13 Protection Agency.

14 "(c) The In-Lieu Fee Fund shall be used for the installation, operation, and maintenance
15 of stormwater retention facilities.

16 "(d)(1) The money deposited into the In-Lieu Fee Fund, and interest earned, shall not
17 revert to the unrestricted fund balance of the General Fund at the end of a fiscal year, or at any
18 other time.

19 "(2) Subject to authorization by Congress, any funds appropriated in the In-Lieu
20 Fee Fund shall be continually available without regard to fiscal year limitation."

21 "(e) The District Department of the Environment shall publish on its website at least
22 annually a description of how revenues are spent from the In-Lieu Fee Fund and Anacostia River
23 Clean Up and Protection Fund, established by the Anacostia River Clean Up and Protection Act
24 of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.01 *et seq.*).

25 "(f) The report on the In-Lieu Fee Fund required by subsection (e) of this section shall
26 include:

27 "(1) The total amount of in-lieu fees collected to date;

1 "(2) The total amount of funds spent to date;

2 "(3) For each sub-drainage area or watershed, the aggregate off-site retention
3 volume per year purchased with in-lieu fees, based on the location of regulated projects paying
4 in-lieu fees; and

5 "(4) For each of the stormwater retention facilities installed using In-Lieu Fee
6 Fund dollars, the type of best management practices used by the facility, the gallons per year of
7 stormwater volume achieved by the facility, the sub-drainage or watershed location of the
8 facility, and a summary of the capital and maintenance costs of the project."

9 **SUBTITLE D. DISTRICT DEPARTMENT OF TRANSPORTATION PARKING**
10 **METER REVENUE**

11 Sec. 6031. Short title.

12 This subtitle may be cited as the "District Department of Transportation Parking Meter
13 Revenue Amendment Act of 2013".

14 Sec. 6032. The Performance Parking Pilot Zone Act of 2008, effective November 25,
15 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended as follows:

16 (a) Section 2a (D.C. Official Code 50-2531.01) is amended as follows:

17 (1) Subsection (a)(2) is amended to read as follows:

18 "(2) One-half of the net revenue derived from any modifications to meter rates, meter
19 hours, or metered areas within each performance parking zone shall be deposited in the Fund
20 until September 30, 2013. As of October 1, 2013, all revenue shall be used in accordance with
21 section 5. The net revenue shall be the amount in excess of the revenue that would have been
22 collected if the Mayor had not established a performance parking zone there and had kept the
23 meter rates, meter hours, and metered areas at non-performance parking zone levels."

24 (2) Subsection (b) is amended by striking the phrase "for projects within the zone
25 from which revenues were raised" in its entirety.

26 (b) Section 5 (D.C. Official Code § 50-2534) is amended to read as follows:

1 "Sec. 5. As of October 1, 2013, all revenue collected from the parking of vehicles where
2 meters or devices are installed shall be used in accordance with section 3(h) of the District of
3 Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91;
4 D.C. Official Code § 50-2603(8)), to fund the general operations of the Washington Metropolitan
5 Area Transit Authority, with the exception of the portion required to be transferred to the District
6 Department of Transportation Parking Meter Pay-by-phone Transaction Fee Fund, in accordance
7 with section 9f of the Department of Transportation Establishment Act of 2002, effective
8 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), to pay the vendor
9 responsible for maintaining the parking meter pay-by-phone payment system's annual total of
10 transaction fees."

11 Sec. 6033. Section 3(h) of the District of Columbia Motor Vehicle Parking Facility Act of
12 1942, approved February 16, 1942 (56 Stat. 90; D.C. Official Code § 50-2603(8)), is amended as
13 follows:

14 (a) Paragraph (1) is amended to read as follows:

15 "(1) One hundred percent of the amount collected from the parking of vehicles
16 where meters or devices are installed shall be used in accordance with this section to fund the
17 general operations of the Washington Metropolitan Area Transit Authority, with the exception of
18 the portion required to be transferred to the District Department of Transportation Parking Meter
19 Pay-by-phone Transaction Fee Fund, in accordance with section 9f of the Department of
20 Transportation Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168;
21 D.C. Official Code § 50-921.14), to pay the vendor responsible for maintaining the parking
22 meter pay-by-phone payment system's annual total of transaction fees."

23 (b) Paragraphs (2) and (3) are repealed.

24 Sec. 6034. Section 9g(b) of the Department of Transportation Establishment Act of 2002,
25 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.15(b)), is
26 repealed.

1 Sec. 6035. Section 6025 of the Fiscal Year 2013 Budget Support Act of 2012, effective
2 September 20, 2012 (D.C. Law 19-168; 59 DCR 8025), is repealed.

3 **SUBTITLE E. ACCESSIBLE PUBLIC VEHICLES-FOR-HIRE FUNDING**

4 **AMENDMENT**

5 Sec. 6041. Short title.

6 This subtitle may be cited as the "Accessible Public Vehicles-for-Hire Amendment Act
7 of 2013".

8 Sec. 6042. Section 20a(b) of the District of Columbia Taxicab Commission
9 Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-
10 320(b)), is amended as follows:

11 (a) Paragraph (2) is amended to read as follows:

12 "(2) For fiscal years 2014 and 2015:

13 "(A) The first \$3,250,000 of funds deposited into the Fund each year shall
14 be used to support the operations of the Commission pursuant to paragraph (1)(A) of this
15 subsection;

16 "(B) \$750,000 of the remaining funds deposited into the Fund each year
17 shall be used to increase the number of wheelchair accessible public vehicles-for-hire pursuant to
18 paragraph (1)(B) of this subsection; and

19 "(C) Any remaining funds in the Fund may be used for any of the
20 purposes described in paragraph (1) of this subsection."

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

22 "(3) Nothing in this subsection shall affect any requirements imposed upon the
23 Commission by Title I of the District of Columbia Administrative Procedure Act, approved
24 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*)".

25 **SUBTITLE F. BICYCLE ADVISORY COUNCIL CHAIR**

26 Sec. 6051. This subtitle may be cited as the "Bicycle Advisory Council Amendment Act
27 of 2013".

1 Sec. 6052. Section 5(b)(2)(B) of the District of Columbia Comprehensive Bicycle
2 Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official
3 Code § 50-1604(b)(2)(B)), is amended to read as follows:

4 "(B) A chairperson shall be elected from among the 13 community
5 representatives and shall serve for a term of 2 years."

6 **SUBTITLE G. PRIORITY SIDEWALK ASSURANCE**

7 Sec. 6061. Short title.

8 This subtitle may be cited as the "Priority Sidewalk Assurance Amendment Act of 2013".

9 Sec. 6062. Section 2(a) of the Priority Sidewalk Assurance Act of 2010, effective
10 September 24, 2010 (D.C. Law 18-227; D.C. Official Code § 9-425.01(a)), is amended by
11 striking the phrase "road reconstruction or curb and gutter replacement" and inserting the phrase
12 "road reconstruction, installation of a curb and gutter, or curb and gutter replacement" in its
13 place.

14 **SUBTITLE H. PESTICIDE REGISTRATION FUND PRESERVATION**

15 Sec. 6071. Short title.

16 This subtitle may be cited as the "Pesticide Registration Fund Preservation Amendment
17 Act of 2013".

18 Sec. 6072. The Pesticide Education and Control Amendment Act of 2012, effective
19 October 23, 2012 (D.C. Law 19-191; D.C. Official Code § 8-431 *et seq.*), is amended by adding
20 a new section 9a to read as follows:

21 "Sec. 9a. Pesticide Registration Fund.

22 "(a) There is established as a special fund the Pesticide Registration Fund ("Fund"),
23 which shall be administered by the Department in accordance with subsection (c) of this section.

24 "(b) The Fund shall consist of revenue from fees collected pursuant to section 9 and other
25 pesticide license and registration fees.

26 "(c) The Fund shall be used for the administration of the Department's pesticide
27 programs.

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

3 Sec. 6073. Section 9084 of the Fiscal Year 2012 Transfer of Special Purpose Funds Act
4 of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6362), is repealed.

5 **SUBTITLE I. PUBLIC SPACE CLEANING GRANTS**

6 Sec. 6081. Short title.

7 This subtitle may be cited as the "Public Space Cleaning Grant Act of 2013".

8 Sec. 6082. (a) Of the funds appropriated in fiscal years 2014 and 2015 to the Department
9 of Small and Local Business Development for Clean Teams, \$800,000 may be awarded for
10 grants over a 2-year period to include \$400,000 in fiscal year 2014 and \$400,000 in fiscal year
11 2015 for clean-team services to, at minimum, the following areas:

12 (1) Connecticut Avenue, N.W., between Calvert Street and Cathedral Avenue;
13 between Macomb Street and Porter Street; and between Tilden Street and Albemarle Street;

14 (2) 12th Street, NE, from Jackson Street, NE, to Randolph Street, NE; and

15 (3) Minnesota Avenue, NE, from Grant Street, NE, to East Capitol Street.

16 (b) An eligible grantee must have experience in:

17 (1) Providing clean-team services;

18 (2) Providing job-training services to its employees;

19 (3) Hiring District residents; and

20 (4) Providing social support services to its Clean Team employees.

21 (c) Grants awarded under this subtitle shall administered pursuant to the requirements set
22 forth in the Grant Administration Act of 2013, passed on first reading on May 22, 2013 (subtitle
23 J of title I of Bill 20-199).

24 **SUBTITLE J. TRANSPORTATION FINE AND FEE ADJUSTMENT**

25 Sec. 6091. This subtitle may be cited as the "Transportation Fee and Fine Adjustment
26 Amendment Act of 2013".

1 Sec. 6092. Section 2601.1 of Title 18 of the District of Columbia Municipal Regulations
2 (18 DCMR § 2601.1) is amended by inserting an infraction in between the "Stop sign" and
3 "Tags" infractions to read as follows:

4 "Street cleaning route, parked on during prohibited period (§ 2423) \$45.00".

5 Sec. 6093. Section 225.1(q) of Title 24 of the District of Columbia Code of Municipal
6 Regulations (24 DCMR § 225.1(q)) is amended by adding the following text at the end:

7 "For commuter buses, as that term is defined in 24 DCMR § 3399.1, the annual fee shall
8 be \$5 multiplied by the number of buses occupying public space, multiplied by the number of
9 days per year providing service."

10 Sec. 6095. Section 11d of the District Department of Transportation Establishment Act of
11 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-921.34), is amended
12 by adding a new subsection (c) to read as follows:

13 "(c) Beginning July 1, 2014, the Department shall set DC Circulator fares of at least
14 \$1.50 per ride for passengers using SmarTrip cards for payment and \$2.00 per ride for
15 passengers using cash for payment."

16 **SUBTITLE K. SAFETY JUSTIFICATION FOR TRAFFIC CONTROL**
17 **OFFICERS PLACEMENT**

18 Sec. 6101. Short title.

19 This subtitle may be cited as the "Allocation of Traffic Control Officers Act of 2013".

20 Sec. 6102. Safety justification.

21 The District Department of Transportation ("DDOT") shall:

22 (1) Justify the placement of Traffic Control Officers ("TCOs") at intersections
23 based on safety, except when needed to manage special events or construction sites or when
24 safety concerns for TCOs exist; and

25 (2) Prioritize placement of TCOs at the 10 most dangerous intersections during
26 peak hazardous times.

27 Sec. 6103. Public notification of safety justification and dangerous intersections.

1 On or before February 1, 2014, DDOT shall publish on its website:

2 (1) A standard safety justification for the placement of TCOs; and

3 (2) A list of the 10 most dangerous intersections that will have TCOs during the
4 most hazardous times of day, and the corresponding justification for these placements.

5 **SUBTITLE L. DISTRICT DEPARTMENT OF TRANSPORTATION DC**

6 **CIRCULATOR**

7 Sec. 6111. Short title.

8 This subtitle may be cited as the "District Department of Transportation DC Circulator
9 Amendment Act of 2013".

10 Sec. 6112. Section 11c(b) of the Department of Transportation Establishment Act of
11 2002, effective May 21, 2002 (D.C. Law 14–137; D.C. Official Code § 50–921.33), is amended
12 by striking the phrase "the purchase of tickets," and inserting the phrase "the purchase of tickets,
13 parking meter revenue from the National Park Service for meters on the Mall," in its place.

14 **SUBTITLE M. DISTRICT DEPARTMENT OF TRANSPORTATION**

15 **JURISDICTION**

16 Sec. 6121. Short title.

17 This subtitle may be cited as the "District Department of Transportation Jurisdiction
18 Amendment Act of 2013".

19 Sec. 6122. The Department of Transportation Establishment Act of 2002, effective May
20 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

21 (a) Section 3 (D.C. Official Code § 50-921.02) is amended by adding a new subsection
22 (f) to read as follows:

23 "(f)(1) The Director may enter into agreements with jurisdictions in the Washington
24 metropolitan area ("regional jurisdictions") to plan, fund, design, construct, and otherwise carry
25 out transportation projects.

1 "(2) DDOT may receive funds from and disperse funds to regional jurisdictions
2 for the purposes of planning, funding, designing, constructing, and otherwise carrying out the
3 transportation projects.

4 "(3) DDOT may take other appropriate actions to plan, fund, design, construct,
5 and otherwise carry out the transportation projects, including performing work, including
6 construction work, in regional jurisdictions."

7 (b) This subtitle shall apply as of June 15, 2013.

8 **SUBTITLE N. REPRESENTATION TAGS**

9 Sec. 6131. Short title.

10 This subtitle may be cited as the "Representation Tags Amendment Act of 2013".

11 Sec. 6132. Section 423 of Title 18 of the District of Columbia Municipal Regulations (18
12 DCMR § 423) is amended by adding a new subsection 423.3a to read as follows:

13 "423.3a. Members of the Council may choose to be issued a standard motor vehicle
14 identification tag or a tag designating the member's ward of representation or at-large status. If
15 the member opts for a standard tag, the member shall also be issued a placard to be placed on the
16 dashboard of a vehicle indicating that the vehicle is being used by the member for official
17 business."

18 Sec. 6133. Section 6(c)(2) of the District of Columbia Traffic Act, 1925, approved March
19 3, 1925 (43 Stat. 1121; D.C. Official Code 2201.03(c)), is amended to read as follows:

20 "(2) The vehicle is displaying a Congressional or Council registration tag or
21 parking placard issued by the jurisdiction represented by the member or by the District."

22 **SUBTITLE O. AUTOMATED TRAFFIC ENFORCEMENT SAFETY**

23 Sec. 6141. Short title.

24 This subtitle may be cited as the "Automated Traffic Enforcement Safety Amendment
25 Act of 2013".

1 Sec. 6142. Section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective
2 April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), is amended by adding new
3 subsections (c), (d), (e), and (f) to read as follows:

4 "(c) By February 1, 2014, the Mayor shall conduct, for each existing location and for
5 each proposed new location of traffic enforcement system equipment, a camera-need assessment,
6 which shall include, for each location over the prior 2-year period, the following:

7 "(1) The number of accidents and vehicle-related issues reported to the
8 Metropolitan Police Department associated with the location;

9 "(2) The number of moving violations, categorized by the type of violation;

10 "(3) Whether any fatalities or hospitalizations due to an accident occurred within
11 the prior 2-year period; and

12 "(4) The current speed limit at the location.

13 "(d) Before installing any traffic enforcement system equipment at a proposed new
14 location, the Mayor shall conduct a camera-need assessment in the same manner as that provided
15 in subsection (c) of this section.

16 "(e) If the number of accidents and vehicle-related issues reported to the Metropolitan
17 Police Department associated with the location is less than 5 in the 2-year period, the Mayor
18 shall provide a separate written justification for the location of the traffic enforcement system
19 equipment.

20 "(f) The Mayor shall, by February 1, 2014, and before installing any traffic
21 enforcement system equipment at a proposed new location, publish on the website of the District
22 Department of Transportation the camera-need assessment and, if applicable, the written
23 justification required by subsection (e) of this section."

24 **TITLE VII. FINANCE AND REVENUE**

25 **SUBTITLE A. SUBJECT TO APPROPRIATIONS REPEALERS**

26 Sec. 7001. Short title.

1 This subtitle may be cited as the "Subject to Appropriations Repealers Amendment Act
2 of 2013".

3 Sec. 7002. Section 3 of the Land Acquisition for Housing Development Opportunities
4 Program Act of 2010, effective December 3, 2010 (D.C. Law 18-260; 57 DCR 9632), is
5 repealed.

6 Sec. 7003. Section 5 of the UNCF Tax Abatement and Relocation to the District
7 Assistance Act of 2010, effective August 6, 2010 (D.C. Law 18-211; 57 DCR 4949), is repealed.

8 Sec. 7004. Section 3 of the Carver 2000 Low-Income and Senior Housing Project
9 Amendment Act of 2012, effective July 13, 2012 (D.C. Law 19-151; 59 DCR 5134), is repealed.

10 Sec. 7005. Section 4 of the Elizabeth Ministry, Inc. Affordable Housing Initiative Real
11 Property Tax Relief Act of 2012, signed by the Mayor on January 14, 2013 (D.C. Act 19-589; 60
12 DCR 982), is repealed.

13 Sec. 7006. Section 3 of the King Towers Residential Housing Real Property Tax
14 Exemption Clarification Act of 2012, effective July 13, 2012 (D.C. Law 19-153; 59 DCR 5138),
15 is repealed.

16 Sec. 7007. Section 7 of the Taxicab Service Improvement Amendment Act of 2012,
17 effective October 22, 2012, (D.C. Law 19-184; 59 DCR 9431), is repealed.

18 Sec. 7008. Section 3 of the 8th Street Plaza Condominium Association, Inc. Clarification
19 Act of 2012, effective October 22, 2012 (D.C. Law 19-178; 59 DCR 9416), is repealed.

20 Sec. 7009. Section 3 of the Parkside Parcel E and J Mixed-Income Apartments Tax
21 Abatement Act of 2012, signed by the Mayor on January 12, 2013 (D.C. Act 19-591; 60
22 DCR 987), is repealed.

23 Sec. 7010. Section 3 of the Israel Senior Residences Tax Exemption Act of 2012, signed
24 by the Mayor on January 29, 2013 (D.C. Act 19-652; 60 DCR 2316), is repealed.

25 Sec. 7011. Section 3 of the Families Together Amendment Act of 2010, effective
26 September 24, 2010 (D.C. Law 18-228; 57 DCR 6926), is repealed.

1 Sec. 7012. Section 701 of the Adoption Reform Amendment Act of 2010, effective
2 September 24, 2010 (D.C. Law 18-230; 57 DCR 6951), is repealed.

3 Sec. 7013. Section 5 of the District of Columbia Flood Assistance Fund Act of 2012,
4 returned unsigned by the Mayor on February 4, 2013 (D.C. Act 19-661; 60 DCR 2613), is
5 repealed.

6 Sec. 7014. Section 47-1086 of the District of Columbia Official Code is amended by
7 adding a new subsection (c) to read as follows:

8 "(c) This section shall apply as of March 1, 2011."

9 Sec. 7015. Section 1203 of the Procurement Practices Reform Act of 2010, effective
10 April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-362.03), is repealed.

11 Sec. 7016. Section 5 of the State Board of Education Personnel Authority Amendment
12 Act of 2012, effective April 27, 2013 (D.C. Law 19-284; 60 DCR 2312), is repealed.

13 Sec. 7016. Section 5 of the Public Vehicle-for-Hire Innovation Amendment Act of 2012,
14 effective April 23, 2013 (D.C. Law 19-270; 60 DCR 1717), is repealed.

15 Sec. 7017. (a) Section 3 of the Howard Town Center Real Property Tax Abatement Act
16 of 2012, effective April 20, 2013 (D.C. Law 19-257; 60 DCR 992), is repealed.

17 (b) Section 47-4656(b)(2) of the District of Columbia Official Code is amended to read
18 as follows:

19 "(2) Be in the amount of \$800,000 per year, not to exceed \$8 million in the
20 aggregate over 10 years. "

21 Sec. 7018. Section 4 of the Workplace Fraud Amendment Act of 2012, effective April
22 28, 2013 (D.C. Law 19-300; 60 DCR 2679), is repealed.

23 Sec. 7019. Section 3 of the Schedule H Property Tax Relief Act of 2012, effective April
24 27, 2013 (D.C. Law 19-283; 60 DCR 2307), is repealed.

25
26 **SUBTITLE B. TAX INCREMENT REVENUE BONDS DC USA PROJECT**
27 **EXTENSION**

1 Sec.7021. Short title.

2 This subtitle may be cited as the "Tax Increment Revenue Bonds DC USA Project
3 Extension Act of 2013".

4 Sec. 7022. Definitions.

5 For the purposes of this subtitle, the term:

6 (1) "Available Real Property Tax Revenues" means the revenues resulting from
7 the imposition of the tax provided for in Chapter 8 of Title 47 and the tax imposed by D.C.
8 Official Code § 47-1005.01, including any penalties and interest charges, exclusive of the special
9 tax provided for in section 481 of the District of Columbia Home Rule Act, approved December
10 24, 1973 (87 Stat.807; D.C. Official Code § 1-204.81), pledged to the payment of general
11 obligation indebtedness of the District.

12 (2) "Available Sales Tax Revenues" means the revenues resulting from the
13 imposition of the tax imposed pursuant to Chapter 20 of Title 47, including any penalties and
14 interest charges, exclusive of the portion thereof required to be deposited in the Washington
15 Convention Center Fund established pursuant to section 208 of the Washington Convention
16 Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official
17 Code § 10-1202.08).

18 (3) "Available Tax Increment" means the sum of the Available Sales Tax
19 Revenues and Available Real Property Tax Revenues generated by the DC-USA Project TIF
20 Area minus the sum of Available Sales Tax Revenues and Available Real Property Tax
21 Revenues generated in the respective base year, as certified by the Chief Financial Officer.

22 (4) "Bonds" means the \$46.9 million National Capital Revitalization Variable
23 Rate Revenue Bonds (DC USA Parking Garage Project) Series 2006.

24 (5) "Chief Financial Officer" means the Chief Financial Officer of the District of
25 Columbia.

26 (6) "DC USA Project TIF Area" means the following parcels and lots and
27 squares: Square 2674, Lot 0866; Square 2674, Lot 0720; Square 2674, Lot 0863; Square 2674,

1 Lot 0832; Square 2674, Lot 0812; Square 2674, Lot 0869; Square 2674, Lot 0719; Square 2674,
2 Lot 0872; Square 2674, Lot 0870; Square 2674, Lot 0871.

3 Sec. 7023. Allocation of Available Tax Increment.

4 There is allocated to the repayment of the Bonds 100% of the Available Tax Increment
5 until such time as the Bonds are paid in full. The Available Real Property Tax Revenues shall be
6 calculated based upon the assessed value of the real property comprising the DC-USA Project
7 TIF Area as of January 1, 2004 for the base year of tax year 2005 as certified by the Chief
8 Financial Officer. The Available Sales Tax Revenues shall be calculated based upon the sales
9 tax revenue for base year 2003 as certified by the Chief Financial Officer.

10 **SUBTITLE C. DELINQUENT DEBT RECOVERY**

11 Sec. 7031. Short title.

12 This subtitle may be cited as the "Delinquent Debt Recovery Amendment Act of 2013".

13 Sec. 7032. The District of Columbia Delinquent Debt Recovery Act of 2012, effective
14 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-350.01 *et seq.*), is amended as
15 follows:

16 (a) Section 1043 (D.C. Official Code § 1-350.02) is amended as follows:

17 (1) Subsection (a) is amended by striking the phrase "Notwithstanding" and
18 inserting the phrase "Except as provided in subsections (a-1) and (a-2) of this section,
19 notwithstanding" in its place.

20 (2) New subsections (a-1) and (a-2) are added to read as follows:

21 "(a-1) The University of the District of Columbia shall transfer and refer unpaid student
22 tuition, student fees, and student loans to the Central Collection Unit within one year after the
23 end of the semester in which the student tuition, student fees, and student loans were incurred.

24 "(a-2) Beginning in fiscal year 2014 and for each fiscal year thereafter, funds collected
25 and recovered by the Central Collection Unit arising out of delinquent debts transferred and
26 referred to the Central Collection Unit by the Not-For-Profit Hospital Corporation for collection,

1 net of costs and fees, shall be deposited into the Not-For-Profit Hospital Corporation Fund by the
2 Central Collection Unit within 60 days following the then current fiscal year."

3 (b) Section 1045 (D.C. Official Code § 1-350.04) is amended by striking the phrase "all
4 delinquent debts collected by the Central Collection Unit" and inserting the phrase "all
5 delinquent debts collected by the Central Collection Unit, except those amounts collected by the
6 Central Collection Unit described in section 1043(a-1) and (a-2)" in its place.

7 (b) A new section 1043a is added to read as follows:

8 "Sec. 1043a. Collection on behalf of the University of the District of Columbia.

9 "Funds collected and recovered by the Central Collection Unit, beginning in fiscal year
10 2014 and continuing in the following fiscal years, arising out of delinquent debts transferred and
11 referred to the Central Collection Unit by the University of the District of Columbia for
12 collection, net of cost and fees, shall be deposited into the University of the District of Columbia
13 Debt Collection Fund established pursuant to section 7033 of the Delinquent Debt Recovery
14 Amendment Act of 2013, passed on 1st reading on May 22, 2013 (Engrossed version of Bill 20-
15 199) , by the Central Collection Unit within 60 days following the then current fiscal year."

16 Sec. 7033. Establishment of University of District of Columbia Debt Collection Fund.

17 (a) There is established as a special fund the University of the District of Columbia Debt
18 Collection Fund ("Fund"), which shall be administered by the University of the District of
19 Columbia in accordance with subsection (c) of this section.

20 (b) The fund shall consist of the revenue from the collection of unpaid student tuition,
21 student fees, and student loans by the Central Collection Unit in accordance with the District of
22 Columbia Delinquent Debt Recovery Act, effective September 20, 2012 (D.C. Law 19-168; D.C.
23 Official Code § 1 350.01 *et seq.*).

24 (c) The Fund shall be used for expenses associated with the operations of the University
25 of the District of Columbia.

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

1 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
2 be continually available without regard to fiscal year limitation.

3 **SUBTITLE D. BANK FEES SPECIAL FUND**

4 Sec. 7041. Short title.

5 This subtitle may be cited as the "Bank Fees Special Fund Act of 2013".

6 Sec. 7042. Bank Fees Special Fund.

7 (a) There is established as a special fund the Bank Fees Special Fund ("Fund"), which
8 shall be administered by Chief Financial Officer in accordance with subsection (c) of this
9 section.

10 (b) Beginning October 1, 2013, the following sources shall be deposited into the Fund:

11 (1) All interest earned on public funds under the custody of the Chief Financial
12 Officer in a general fund account that is not otherwise restricted; and

13 (2) Such amounts from the unassigned General Fund balance as may be required
14 to pay bank fees and charges, as they come due, in excess of the interest earned on public funds
15 as described in paragraph (1) of this subsection.

16 (c) The Fund shall be used to pay bank fees and charges.

17 **SUBTITLE E. AFFORDABLE HOUSING REAL PROPERTY TAX RELIEF**

18 Sec. 7051. Short title.

19 This subtitle may be cited as the "Affordable Housing Real Property Tax Relief Act of
20 2013".

21 Sec. 7052. Section 47-1002(20)(A)(ii) of the District of Columbia Official Code is
22 amended by striking the semicolon at the end and inserting the phrase "or payments made under
23 any renewal of a contract originally made under the new construction, substantial rehabilitation,
24 or moderate rehabilitation under such section 8 that entitled the property to the exemption and
25 for which an exemption was granted;" in its place.

26 Sec. 7053. Applicability.

1 This subtitle shall apply with respect to renewal contracts entered into before, on, or after
2 the effective date of this subtitle.

3 **SUBTITLE F. BEULAH BAPTIST CHURCH REAL PROPERTY EQUITABLE**
4 **TAX RELIEF**

5 Sec. 7061. Short title.

6 This subtitle may be cited as the "Beulah Baptist Church Real Property Equitable Tax
7 Relief Act of 2013".

8 Sec. 7062. Section 47-4654(d) of the District of Columbia Official Code is amended by
9 striking the phrase "September 30, 2010" and inserting the phrase "September 30, 2020, and any
10 real property taxes, interest, penalties, fees, or other related charges assessed, as of the effective
11 date of the Beulah Baptist Church Real Property Equitable Tax Relief Temporary Act of 2013,
12 effective April 27, 2013 (D.C. Law 19-27; 60 DCR 2629), against this real property with respect
13 to this period are forgiven and any payment already made shall be refunded" in its place.

14 **SUBTITLE G. GALA HISPANIC THEATRE REAL PROPERTY TAX**
15 **ABATEMENT**

16 Sec. 7071. Short title.

17 This subtitle may be cited as the "GALA Hispanic Theatre Real Property Tax Abatement
18 Act of 2013".

19 Sec. 7072. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as
20 follows:

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

23 "47-4660. GALA Hispanic Theatre; Lot 79, Square 2837."

24 (b) A new section 47-4660 is added to read as follows:

25 "§ 47-4660. GALA Hispanic Theatre; Lot 79, Square 2837.

26 "(a) Real property taxes assessed against Lot 79, Square 2837 in excess of the amount of
27 taxes levied for tax year 2005 shall be abated to the extent that the excess is allocable to the

1 portion of the property leased to the Grupo de Artistas Latinoamericanos, G.A.L.A., Inc., also
2 known as the GALA Hispanic Theatre ("GALA"), under the terms of its lease, so long as such
3 portion is leased to GALA and is used for the purpose of producing and staging live theatre
4 performances; provided, that the benefit of this abatement shall be passed on to GALA in the
5 form of reduced rent equal to the amount of the abatement.

6 "(b) Both GALA and its landlord shall provide to the Office of Tax and Revenue
7 ("OTR"), at the time and in the manner directed by OTR, the information as OTR may consider
8 necessary to determine the amount of the abatement allowable for a taxable year and to verify
9 eligibility for the abatement.

10 "(c) The abatement provided under this section shall apply beginning with tax year 2011.
11 If the property becomes ineligible for the abatement, the abatement shall end at the beginning of
12 the month following the month that the property becomes ineligible."

13 **SUBTITLE H. OUT-OF-STATE MUNICIPAL BOND TAX REPEAL**

14 Sec. 7081. Short title.

15 This subtitle may be cited as the "Out-of-State Municipal Bond Tax Repeal Act of 2013".

16 Sec. 7082. Section 47-1803.02(a)(1)(B) of the District of Columbia Official Code is
17 amended to read as follows:

18 "(B) Individuals, estates, and trusts shall not, and shall not have been
19 required to, include interest on the obligations of the District of Columbia, a state, a territory of
20 the United States, or any political subdivision thereof, in the computation of District gross
21 income."

22 **SUBTITLE I. MANDARIN HOTEL FISCAL YEAR 2013 AND FISCAL YEAR** 23 **2014 FUND TRANSFERS**

24 Sec. 7091. Short title.

25 This subtitle may be cited as the "Mandarin Hotel FY13 and FY14 Fund Transfers
26 Amendment Act of 2013".

1 Sec. 7092. The Chief Financial Officer shall recognize the additional tax increment
2 revenue in fiscal years 2013 and 2014 above that needed for debt service for the Mandarin
3 Oriental Hotel Project Bonds, Series 2002 for the Mandarin Oriental Hotel Project, as defined in
4 section 2(a)(2) of the Mandarin Oriental Hotel Project Tax Deferral Act of 2002, effective March
5 25, 2003 (D.C. Law 14-232; D.C. Official Code § 2-1217.32(a)(2)), for each of these years, as
6 fiscal year 2013 and 2014 local funds revenue.

7 Sec. 7093. Mandarin Hotel Debt Repayments

8 Section 2 of the Mandarin Oriental Hotel Project Tax Deferral Act of 2002, effective
9 March 25, 2003 (D.C. Law 14-232; D.C. Official Code § 2-1217.32), is amended by adding a
10 new subsection (c-1) to read as follows:

11 "(c-1) Beginning in fiscal year 2015, to the extent that it does not violate the terms of any
12 financing documents, closing documents, lien, pledge, security interest, or other covenants
13 (collectively, "financing documents") under which the bonds or other evidence of indebtedness
14 described in this section ("bonds") were issued, and notwithstanding section 6 of the Tax
15 Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-
16 143; D.C. Official Code § 2-1217.05(e)), if, at the end of a fiscal year the balance of cash and
17 investments in the Mandarin TIF revenue fund created by the indenture for the bonds exceeds the
18 balance of current liabilities, including debt service, required reserves, and required sinking fund
19 deposits under the bonds or financing documents required to be paid from the funds in the
20 Mandarin TIF revenue fund created by the indenture for the bonds, and, beginning in fiscal year
21 2016, and each year thereafter until the abatement is funded in full, \$800,000 to fund the
22 abatement provided in the Howard Town Center Real Property Tax Abatement Act of 2012,
23 effective April 30, 2013 (D.C. Law 19-257; 60 DCR 992), the excess shall be recognized as local
24 funds revenue."

25 **SUBTITLE J. COMBINED REPORTING CLARIFICATION**

26 Sec. 7101. Short title.

27 This subtitle may be cited as the "Combined Reporting Clarification Act of 2013".

1 Sec. 7102. Chapter 18 of Title 47 of the District of Columbia Official Code is amended
2 as follows:

3 (a) The table of contents is amended by striking the designation "§ 47-1810.06.
4 Designation of surety" and inserting the designation "§ 47-1810.06. Designation of agent" in its
5 place.

6 (b) Section 47-1801.04 is amended to read as follows:

7 "§ 47-1801.04. General definitions.

8 "For the purposes of this chapter, unless otherwise required by the context, the term:

9 "(1) "Affiliated group" means an affiliated group as defined in section 1504 of
10 the Internal Revenue Code of 1986; provided, that the affiliated group shall not include any
11 corporation that does not have gross income derived from sources within the District.

12 "(2) "Aggregated effective tax rate" means the sum of the effective rates of tax
13 imposed by the District of Columbia, states, or possessions of the United States, and foreign
14 nations that have entered into comprehensive tax treaties with the United States government,
15 where a related member receiving a payment of interest expense or intangible expense is subject
16 to tax and where the measure of the tax is imposed included the payment.

17 "(3) "Apportioned net operating loss" means the net operating loss generated in
18 the year of the loss multiplied by the District of Columbia's apportionment formula for the loss
19 year.

20 "(4) "Blind" means a taxpayer whose central visual acuity does not exceed
21 20/200 in the better eye with correcting lenses or whose visual acuity is greater than 20/200 but
22 is accompanied by a limitation in the field of vision such that the widest diameter of the visual
23 field subtends an angle no greater than 20 degrees.

24 "(5) "Business income" means all income that is apportionable under the
25 Constitution of the United States.

26 "(6)(A) "Capital asset" means property defined or treated as a capital asset under
27 the Internal Revenue Code of 1986.

1 "(B) For the purpose of computing for any taxable year, the tax imposed
2 under this chapter with respect to sales or other dispositions of property referred to in
3 subparagraph (A) of this paragraph, the provisions of the Internal Revenue Code of 1986 relating
4 to the treatment of gains and losses (other than the alternative tax imposed by section 1201 of the
5 Internal Revenue Code of 1986) shall apply.

6 "(7) "Combined group" means the group of all persons whose income and
7 apportionment factors are required to be taken into account pursuant to § 47-1805.02a(a) and (b)
8 and the pertinent regulations in determining the taxpayer's share of the net business income or
9 loss apportionable to the District.

10 "(8) "Commercial domicile" means the principal place from which the trade or
11 business of the taxpayer is directed or managed.

12 "(9) "Compensation" means wages, salaries, commissions, and any other form of
13 remuneration paid to an employee for personal services.

14 "(10) "Corporation" means:

15 "(A) Any corporation as defined by the laws of the District or organization
16 of any kind treated as a corporation for tax purposes under the laws of the District, wherever
17 located, which, were it doing business in the District, would be subject to the tax imposed by this
18 chapter;

19 "(B) A joint-stock company, trust, association and S corporation as
20 defined in section 1361(a) of the Internal Revenue Code of 1986, or other organization that is
21 taxable as a corporation under federal income tax law.

22 "(11)(A) "Cost-of-living adjustment" means an amount, for any calendar year,
23 equal to the dollar amount set forth in paragraph (44)(A) and (B) of this section or § 47-
24 1806.02(f)(1)(A) and (i) multiplied by the percentage that the Consumer Price Index for the
25 preceding calendar year exceeds the Consumer Price Index for the calendar year beginning
26 January 1, 2007.

1 "(B) For the purposes of this paragraph, the Consumer Price Index for any
2 calendar year is the average of the Consumer Price Index for the Washington-Baltimore
3 Metropolitan Statistical Area for all-urban consumers published by the Department of Labor, or
4 any successor index, as of the close of the 12-month period ending on July 31 of such calendar
5 year.

6 "(12) "Deficiency" with respect to any tax imposed by this chapter means:

7 "(A) The amount or amounts by which the tax imposed by this chapter, as
8 determined by the Chief Financial Officer, exceeds the amount shown as the tax by the taxpayer
9 upon his return; or

10 "(B) The amount assessed as a tax by the Chief Financial Officer if no
11 return is filed by the taxpayer.

12 "(13) "Dependent" means a dependent as defined in section 152 of the Internal
13 Revenue Code of 1986.

14 "(14) "Dividend" means any distribution made by a corporation or financial
15 institution (domestic or foreign) to its stockholders or members, out of its earnings, profits, or
16 surplus, other than paid-in surplus, whenever earned by the corporation or financial institution
17 and whether made in cash or in any other property (other than stock of the same class in the
18 corporation or financial institution, if the recipient of the stock dividend has neither received nor
19 exercised an option to receive the dividend in cash or in property other than stock instead of
20 stock) and whether distributed before, during, upon, or after liquidation or dissolution of the
21 corporation or financial institution; except, that in the case of any such distribution, any part of
22 which for purposes of the income tax imposed under the Internal Revenue Code of 1986 is
23 deemed to constitute a capital gain, such part shall be deemed to constitute a capital gain for
24 purposes of the tax imposed by this chapter; provided, that in the case of any dividend that is
25 distributed other than in cash or stock in the same class in the corporation or financial institution
26 and not exempted from tax under this chapter, the basis of tax to the recipient shall be the market

1 value of the property at the time of the distribution; provided further, that a dividend shall not
2 include any dividend paid by a mutual life insurance company to its shareholders.

3 "(15) "Doing business" means any activity of a partnership, corporation or
4 financial institution that enjoys the benefits and protection of the government and laws of the
5 District.

6 "(16) "Domestic partners" means persons who have registered their relationship
7 with the District pursuant to section 3 of the Health Care Benefits Expansion Act of 1992,
8 effective June 11, 1992 (9-114; D.C. Official Code § 32-702)..

9 "(17) "Employee" means an individual having a place of abode or residing or
10 domiciled within the District at the time the tax is required to be withheld in respect to the
11 individual's employment by another, and to every other individual who maintains a place of
12 abode within the District for an aggregate of 183 days or more during the taxable year, whether
13 domiciled in the District or not, including an officer of a corporation, but excluding any elective
14 officer of the government of the United States or any officer or employee in the legislative
15 branch of the government of the United States whose compensation is paid by the Secretary of
16 the Senate or Clerk of the House of Representatives, any officer of the executive branch of the
17 government of the United States whose appointment was made by the President of the United
18 States, subject to confirmation by the Senate of the United States, and whose tenure of office is
19 at the pleasure of the President of the United States, or any Justice of the Supreme Court of the
20 United States, unless the officer, employee, or justice is domiciled within the District of
21 Columbia at any time during the taxable year.

22 "(18) "Employer" means an employer as defined in section 3401(d) of the
23 Internal Revenue Code of 1986.

24 "(19) "Fiduciary" means a guardian, trustee, executor, committee, administrator,
25 receiver, conservator, or any other person acting in any fiduciary capacity for any person.

26 "(20) "Financial institution" means any bank or trust company incorporated or
27 required to be incorporated and doing business under the laws of the United States, the District

1 of Columbia, or any state, a substantial part of the business of which consists of receiving
2 deposits and making loans and discounts or of exercising fiduciary powers similar to those
3 permitted to national banks under authority of the Comptroller of the Currency and which is
4 subject by law to supervision and examination by the District or by any state, territorial, or
5 federal authority having supervision over the financial institution, including:

6 "(A) Any savings and loan associations; and

7 "(B) Any company, a substantial part of the business of which consists of
8 receiving deposits and making loans and discounts or of exercising fiduciary powers similar to
9 those permitted to national banks under authority of the Comptroller of the Currency, which is
10 organized or created under the laws of a foreign country and which maintains an office or branch
11 in the District.

12 "(21) "Fiscal year" means an accounting period of 12 months ending on any day
13 other than the last day of December and on the basis of which the taxpayer is required to report
14 for federal income tax purposes.

15 "(22) "Head of household" shall have the same meaning as defined in section
16 2(b) of the Internal Revenue Code of 1986.

17 "(23) "Individual" means all natural persons (other than fiduciaries), whether
18 married, domestic partners, or unmarried.

19 "(24) "Intangible expense" means:

20 "(A) An expense, loss, or cost for, related to, or in connection directly or
21 indirectly with the direct or indirect acquisition, use, maintenance, management, ownership, sale,
22 exchange, or any other disposition of intangible property, to the extent the expense, loss, or cost
23 is allowed as a deduction or cost in determining taxable income for the taxable year under the
24 Internal Revenue Code of 1986;

25 "(B) A loss related to or incurred in connection directly or indirectly with
26 factoring transactions or discounting transactions;

27 "(C) A royalty, patent, technical, or copyright and licensing fee; or

1 "(D) Any other similar expense or cost.

2 "(25) "Intangible property" means patents, patent applications, trade names,
3 trademarks, service marks, copyrights, and similar types of intangible assets.

4 "(26) "Interest expense" means an amount directly or indirectly allowed as a
5 deduction under section 163 of the Internal Revenue Code of 1986 for purposes of determining
6 taxable income under the Internal Revenue Code of 1986.

7 "(27) "Internal Revenue Code of 1954" means the Internal Revenue Code of
8 1954, approved April 6, 1954 (68A Stat. 3; 26 U.S.C. § 1 et seq.), as amended through May 24,
9 1985.

10 "(28) "Internal Revenue Code of 1986" means the Internal Revenue Code of
11 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 1 et seq.); which provisions shall
12 apply on the same dates that they are effective for federal tax purposes.

13 "(29) "International banking facility" or "IBF" shall have the same meaning as
14 provided in section 204.8(a)(1) of Regulation D of the Board of Governors of the Federal
15 Reserve System, effective December 3, 1981 (12 CFR § 204.8(a)(1)).

16 "(30) "International banking facility extension of credit" or "IBF loan" shall have
17 the same meaning as provided in section 204.8(a)(3) of Regulation D of the Board of Governors
18 of the Federal Reserve System, effective December 3, 1981 (12 CFR § 204.8(a)(3)).

19 "(31) "International Banking Facility time deposit" or "IBF time deposit" shall
20 have the same meaning as provided in section 204.8(a)(2) of Regulation D of the Board of
21 Governors of the Federal Reserve System, effective December 3, 1981 (12 CFR § 204.8(a)(2)).

22 "(32) "Net operating loss" shall have the same meaning as provided in section
23 172(c) of the Internal Revenue Code of 1986, subject to limitations and modifications provided
24 in this section.

25 "(33) "Net operating loss deduction" means the aggregate of the apportioned net
26 operating loss carryovers to the taxable year.

27 "(34) "Nonbusiness income" means all income other than business income.

1 "(35) "Nonresident" means every individual other than a resident.

2 "(36) "Ownership" in determining the ownership of stock, assets, or net profits of
3 any person, means the constructive ownership of section 318(a) of the Internal Revenue Code of
4 1986 as modified by section 856(d)(5) of the Internal Revenue Code of 1986.

5 "(37) "Partnership" means a general or limited partnership or organization of any
6 kind that is treated as a partnership for tax purposes under the laws of the District of Columbia.

7 "(38) "Payroll period" means a payroll period as defined in section 3401(b) of the
8 Internal Revenue Code of 1986.

9 "(39) "Person" means any individual, firm, partnership, general partner of a
10 partnership, limited liability company, registered limited liability partnership, foreign limited
11 liability partnership, association, corporation (whether or not the corporation is, or would be if
12 doing business in the District, subject to this chapter), unincorporated business, company,
13 syndicate, estate, trust, business trust, trustee, trustee in bankruptcy, receiver, executor,
14 administrator, assignee, fiduciary, or organization of any kind. For purposes of combined
15 reporting, "Person" shall not include a Qualified High Technology Company as defined in § 47-
16 1817.01(5)(A).

17 "(40) "Related entity" means a person that under the attribution rules of section
18 318 of the Internal Revenue Code of 1986 is:

19 "(A) A stockholder who is an individual, or a member of the stockholder's
20 family as enumerated in section 318 of the Internal Revenue Code of 1986, if the stockholder
21 and the members of the stockholder's family own, directly, indirectly, beneficially, or
22 constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock;

23 "(B) A stockholder, or a stockholder's partnership, limited liability
24 company, estate, trust, or corporation, if the stockholder and the stockholder's partnerships,
25 limited liability companies, estates, trusts, and corporations own directly, indirectly, beneficially,
26 or constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock;

27 or

1 "(C) A corporation, or a party related to the corporation in a manner that
2 would require an attribution of stock from the corporation to the party or from the party to the
3 corporation under the attribution rules of section 318 of the Internal Revenue Code of 1986
4 ("party related to the corporation"), if the corporation or party related to the corporation owns,
5 directly, indirectly, beneficially, or constructively, at least 50% of the value of the corporation's
6 outstanding stock.

7 "(41) "Related member" means:

8 "(A) A person that, with respect to the taxpayer is, at any time during the
9 year, a related entity;

10 "(B) A component member as defined in section 1563(b) of the Internal
11 Revenue Code of 1986;

12 "(C) A controlled group of which the taxpayer is also a component; or

13 "(D) A person to or from whom there is attribution of stock ownership in
14 accordance with section 1563(e) of the Internal Revenue Code of 1986.

15 "(42) "Resident" means an individual domiciled in the District at any time during
16 the taxable year, and every other individual who maintains a place of abode within the District
17 for an aggregate of 183 days or more during the taxable year, whether or not the individual is
18 domiciled in the District, excluding any elective officer of the government of the United States or
19 any employee on the staff of an elected official in the legislative branch of the government of the
20 United States if the employee is a bona fide resident of the state of residence of the elected
21 officer, or any officer of the executive branch of the government whose appointment was made
22 by the President of the United States and subject to confirmation by the Senate of the United
23 States and whose tenure of office is at the pleasure of the President of the United States, or any
24 Justice of the Supreme Court of the United States, unless the officer, employee, or justice is
25 domiciled within the District at any time during the taxable year. In determining whether an
26 individual is a resident, an individual's absence from the District for temporary or transitory
27 purposes shall not be regarded as changing his domicile or place of abode.

1 "(43) "Sales" means all gross receipts of the taxpayer that are business income, as
2 that term is defined in this section.

3 "(44) "Standard deduction" means:

4 "(A) The amount of \$4,000, increased annually, beginning January 1,
5 2013, by the cost-of-living adjustment (if the adjustment does not result in a multiple of \$50,
6 rounded to the next lowest multiple of \$50), in the case of a return filed by a single individual, by
7 a head of household, by a surviving spouse, or jointly by husband and wife (or domestic partner);

8 "(B) " The amount of \$2,000, provided that, for tax years beginning after
9 December 31, 2012, the amount shall be one-half of the amount determined in subparagraph (A)
10 of this paragraph, in the case of a married person filing separately; or

11 "(C) In the case of an individual who is a resident, as defined in paragraph (42) of
12 this section, for less than a full 12-month taxable year, the amounts specified in subparagraphs
13 (A) and (B) of this paragraph prorated by the number of months that the individual was a
14 resident.

15 "(45) "State" means any state of the United States, the District of Columbia, the
16 Commonwealth of Puerto Rico, any territory, or possession of the United States and any foreign
17 country or political subdivision thereof.

18 "(46) "Subpart F income" shall have the same meaning as provided in section 952
19 of the Internal Revenue Code of 1986.

20 "(47) "Surviving spouse" shall have the same meaning as provided in section 2(a)
21 of the Internal Revenue Code of 1986; except, that in applying section 2(a) of the Internal
22 Revenue Code of 1986, the term spouse shall be deemed to include a domestic partner.

23 "(48) "Tax" or "tax liability" includes the liability for all amounts owing by a
24 taxpayer to the District under this chapter.

25 "(49) "Tax haven" means a jurisdiction that:

1 "(A) For a particular tax year in question has no, or nominal, effective tax
2 on the relevant income and has laws or practices that prevent effective exchange of information
3 for tax purposes with other governments regarding taxpayers benefitting from the tax regime;

4 "(B) Lacks transparency, which for the purposes of this definition means
5 that the details of legislative, legal, or administrative provisions are not open to public scrutiny
6 and apparent or are not consistently applied among similarly situated taxpayers; "(C) Facilitates
7 the establishment of foreign-owned entities without the need for a local substantive presence or
8 prohibits these entities from having any commercial impact on the local economy;

9 "(D) Explicitly or implicitly excludes the jurisdiction's resident taxpayers
10 from taking advantage of the tax regime's benefits or prohibits enterprises that benefit from the
11 regime from operating in the jurisdiction's domestic market; or

12 "(E)(i) Has created a tax regime that is favorable for tax avoidance, based
13 upon an overall assessment of relevant factors, including whether the jurisdiction has a
14 significant untaxed offshore financial or other services sector relative to its overall economy.

15 "(ii) For the purposes of this definition, the term "tax regime"
16 means a set or system of rules, laws, regulations, or practices by which taxes are imposed on any
17 person, corporation, or entity, or on any income, property, incident, indicia, or activity pursuant
18 to governmental authority.

19 "(50) "Taxable income" means as required by the context set forth in § 47-
20 1807.01(2) or § 47-1808.02(1).

21 "(51) "Taxable year" means the calendar year or the fiscal year, whichever is the
22 basis upon which the net income of the taxpayer is computed under this section; if no fiscal year
23 has been established by the taxpayer, it means the calendar year. The term "taxable year"
24 includes, in the case of a return made for a fractional part of a calendar or fiscal year under the
25 provisions of this section or under regulations prescribed by the Chief Financial Officer, the
26 period for which the return is made; provided, that no taxpayer shall change from a calendar year

1 to a fiscal year or from a fiscal year to a calendar year within any taxable year without the
2 written authorization of the Chief Financial Officer.

3 "(52) "Taxpayer" means any person subject to the tax imposed by this chapter.

4 "(53) "Trade or business" means the engaging in or carrying on of any trade,
5 business, profession, vocation, or calling, or commercial activity in the District of Columbia,
6 including activities in the District that benefit a related entity of the taxpayer, the performance of
7 functions of a public office, and the leasing of real or personal property in the District of
8 Columbia by any person whether or not the property is leased directly by the person or through
9 an agent, officer, or a representative, and whether or not the person, agent, officer, or
10 representative performs any services in connection with the property.

11 "(54) "United States" means the United States of America and includes all of the
12 states of the United States, the District of Columbia, and United States' territories and
13 possessions.

14 "(55) "Unitary business" means a single economic enterprise that is made up
15 either of separate parts of a single business entity or of a commonly controlled group of business
16 entities that are sufficiently interdependent, integrated, and interrelated through their activities so
17 as to provide synergy and mutual benefit that produces a sharing or exchange of value among
18 them and a significant flow of value to the separate parts.

19 "(56) "Wages" means wages as defined in section 3401(a) of the Internal
20 Revenue Code of 1986.

21 "(57) "Water's-edge combined group" is comprised of all entities includible in the
22 combined report, as determined pursuant to § 47-1810.07.

23 "(58) "Worldwide combined report" means the combination of the income and
24 activities of all members of a unitary group irrespective of the country in which the corporations
25 are incorporated or conduct business activity."

26 (c) Section 47-1805.02a is amended to read as follows:

27 "§ 47-1805.02a. Combined reporting required.

1 "(a) For tax years beginning after December 31, 2010, a taxpayer engaged in a unitary
2 business with one or more other persons that are part of a water's-edge combined group reporting
3 pursuant to § 47-1810.07 shall file a combined report, which includes the income, determined
4 under § 47-1810.04 and § 47-1810.05 and the allocation and apportionment factors determined
5 under § 47-1810.02 and the pertinent regulations of all such persons that are members of the
6 unitary business, and other information as required by the Chief Financial Officer. If a
7 worldwide combined reporting election has been made, the taxpayer shall file a combined report
8 that includes such income and factors of all the persons that are members of the unitary business,
9 and any other information as required by the Chief Financial Officer.

10 "(b) The Chief Financial Officer may, by regulation, require a combined report to include
11 the income and associated apportionment factors of any persons that are not included pursuant to
12 subsection (a) of this section but that are members of a unitary business to reflect proper
13 apportionment of income of the entire unitary business.

14 "(c) If the Chief Financial Officer determines that the reported income or loss of a
15 taxpayer engaged in a unitary business with any person not included represents an avoidance or
16 evasion of tax by the taxpayer, the Chief Financial Officer may, on a case-by-case basis, require
17 that all or any part of the income and associated apportionment factors be included in the
18 taxpayer's combined report.

19 "(d) With respect to inclusion of associated apportionment factors pursuant to this
20 section, the Chief Financial Officer may require the exclusion of any one or more of the factors,
21 the inclusion of one or more additional factors, that will fairly represent the taxpayer's business
22 activity in the District, or the employment of any other method to effectuate a proper reflection
23 of the total amount of income subject to apportionment and an equitable allocation and
24 apportionment of the taxpayer's income.

25 "(e) The Chief Financial Officer shall adopt regulations as necessary to implement
26 combined reporting and to ensure that the tax liability or net income of any taxpayer whose
27 income derived from or is attributable to sources within the District that is required to be

1 determined by a combined report pursuant to § 47-1810.02 or § 47-1810.07 and of each entity
2 included in the combined report, both during and after the period of inclusion in the combined
3 report, is properly reported, determined, computed, assessed, collected, or adjusted.

4 "(f) The Chief Financial Officer shall adopt regulations as necessary prescribing the form
5 and manner of all returns and reports required under § 47-1805.02a, including the time, place,
6 and extension of such returns and reports.

7 "(g) Any taxpayer election made under § 47-1805.02(5)(C) and the pertinent regulations
8 to file a consolidated return is revoked for tax years beginning after December 31, 2010."

9 (d) Sections 47-1810.04, 47-1810.05, 47-1810.06, 47-1810.07, and 47-1810.08 are
10 amended to read as follows:

11 "§ 47-1810.04. Determination of taxable income or loss using combined report;
12 components of income subject to tax in the District, application of tax credits and post-
13 apportionment deductions; determination of taxpayer's share of the business income of a
14 combine group apportionable to the District.

15 "(a) The use of a combined report does not disregard the separate identities of the
16 taxpayer members of the combined group. Each taxpayer member is responsible for tax based on
17 its taxable income or loss apportioned or allocated to the District, which shall include, in addition
18 to other types of income, the taxpayer member's apportioned share of business income of the
19 combined group, where business income of the combined group is calculated as a summation of
20 the individual net business incomes of all members of the combined group. A member's net
21 business income is determined by removing all but business income, expense, and loss from that
22 member's total income, as provided in this section and § 47-1810.05.

23 "(b)(1) Each taxpayer member is responsible for tax based on its taxable income or loss
24 apportioned or allocated to the District, which shall include its:

25 "(A) Share of any business income apportionable to the District of each of
26 the combined groups of which it is a member, as determined under subsection (c) of this section;

1 "(B) Share of any business income apportionable to the District of a
2 distinct business activity conducted within and without the District wholly by the taxpayer
3 member, as determined under the provisions for apportionment of business income set forth in
4 this chapter;

5 "(C) Income from a business conducted wholly by the taxpayer member
6 entirely within the District;

7 "(D) Income sourced to the District from the sale or exchange of capital or
8 assets, and from involuntary conversions, as determined under § 47-1810.05(b)(8);

9 "(E) Nonbusiness income or loss allocable to the District as determined
10 under the provisions for allocation of nonbusiness income set forth in this chapter;

11 "(F) Income or loss allocated or apportioned in an earlier year required to
12 be taken into account as District source income during the income year, other than a net
13 operating loss; and

14 "(G) Net operating loss carryover.

15 "(2) If the taxable income computed pursuant to this section and § 47-1810.05
16 results in a loss for a taxpayer member of the combined group, that taxpayer member has a
17 District net operating loss, subject to the net operating loss limitations and carryover provisions
18 of this chapter. The District net operating loss shall be applied as a deduction in the subsequent
19 year only if that taxpayer has District source positive net income, whether or not the taxpayer is a
20 member of a combined reporting group in the subsequent year.

21 "(3) Except where otherwise provided, no tax credit or post-apportionment
22 deduction earned by one member of the group, but not fully used by or allowed to that member,
23 may be used, in whole or in part, by another member of the group or applied, in whole or in part,
24 against the total income of the combined group. A post-apportionment deduction carried over
25 into a subsequent year as to the member that incurred it, and available as a deduction to that
26 member in a subsequent year, will be considered in the computation of the income of that

1 member in the subsequent year regardless of the composition of that income as apportioned,
2 allocated, or wholly within the District.

3 "(c) The taxpayer's share of the business income apportionable to the District of each
4 combined group of which it is a member shall be the product of the:

5 "(1) Business income of the combined group, determined under § 47-1810.05; and

6 "(2) Taxpayer member's apportionment percentage, determined in accordance
7 with this chapter, including in the property, payroll, and sales factor numerators of the taxpayer's
8 property, payroll, and sales, respectively, associated with the combined group's unitary business
9 in the District and including in the denominator the property, payroll, and sales of all members of
10 the combined group, including the taxpayer, which property, payroll, and sales are associated
11 with the combined group's unitary business wherever located.

12 "§ 47-1810.05. Determination of the business income of the combined group.

13 "(a) The business income of a combined group is determined as follows:

14 "(1) From the total income of the combined group as determined under paragraph
15 (2) of this subsection and subsection (b) of this section, subtract any income and add any expense
16 or loss, other than the business income, expense, or loss of the combined group.

17 "(2) Except as otherwise provided, the total income of the combined group is the
18 sum of the income of each member of the combined group determined under federal income tax
19 laws, as adjusted for District purposes, as if the member were not consolidated for federal
20 purposes.

21 "(3) In the case of any person entitled to the distributive share of a trade or
22 business net income, the Chief Financial Officer shall adopt regulations as necessary to
23 determine the methodology of including the distributive share but provide an exclusion for the
24 portion of the distributive share that is reported by and taxed against any person under the
25 provisions of this chapter to prevent double taxation or double deduction.

26 "(b) The income of each member of the combined group shall be determined as follows:

1 "(1) For any member incorporated in the United States, or included in a
2 consolidated federal corporate income tax return, the income to be included in the total income
3 of the combined group shall be the taxable income for the corporation after making appropriate
4 adjustments under this chapter.

5 "(2) For any member not included in paragraph (1) of this subsection, the income
6 to be included in the total income of the combined group shall be determined as follows:

7 "(A) A profit and loss statement shall be prepared for each foreign branch
8 or corporation in the currency in which the books of account of the branch or corporation are
9 regularly maintained.

10 "(B) Adjustments shall be made to the profit and loss statement to
11 conform it to the accounting principles generally accepted in the United States for the
12 preparation of such statements, except as modified by regulation.

13 "(C) Adjustments shall be made to the profit and loss statement to
14 conform it to the tax accounting standards required by this chapter.

15 "(D) Except as otherwise provided by regulation, the profit and loss
16 statement of each member of the combined group, and the apportionment factors related thereto,
17 whether United States or foreign, shall be translated into the currency in which the parent
18 company maintains its books and records.

19 "(E) Income apportioned to the District shall be expressed in United States
20 dollars.

21 "(3)(A) In lieu of the procedures set forth in paragraph (2) of this subsection, and
22 subject to the determination of the Chief Financial Officer that it reasonably approximates
23 income as determined under this chapter, any member not subject to paragraph (1) of this
24 subsection may determine its income on the basis of the consolidated profit and loss statement
25 that includes the member and that is prepared for filing with the Securities and Exchange
26 Commission by related corporations.

1 "(B) If the member is not required to file with the Securities and Exchange
2 Commission, the Chief Financial Officer may allow the use of the consolidated profit and loss
3 statement prepared for reporting to shareholders and subject to review by an independent auditor.

4 "(C) If the statements described in subparagraphs (A) or (B) of this
5 paragraph do not reasonably approximate income as determined under this chapter, the Chief
6 Financial Officer may accept those statements with appropriate adjustments to approximate that
7 income.

8 "(4)(A) All dividends paid by one to another of the members of the combined
9 group shall, to the extent those dividends are paid out of the earnings and profits of the unitary
10 business included in the combined report, in the current or an earlier year, be eliminated from the
11 income of the recipient.

12 "(B) Except as otherwise provided, this paragraph shall not apply to
13 dividends received from members of the unitary business that are not a part of the combined
14 group. Except when specifically required by the Chief Financial Officer to be included, all
15 dividends paid by an insurance company directly or indirectly to a corporation that is part of a
16 unitary business with the insurance company shall be deducted or eliminated from the income of
17 the recipient of the dividend.

18 "(5)(A) Except as otherwise provided by regulation, business income from an
19 inter-company transaction between members of the same combined group shall be deferred in a
20 manner similar to 26 C. F. R. § 1.1502-13.

21 "(B) Upon the occurrence of any of the following events, deferred
22 business income resulting from an inter-company transaction between members of a combined
23 group shall be restored to the income of the seller and shall be apportioned as business income
24 earned immediately before the event:

25 "(i) The object of a deferred inter-company transaction is:

26 "(I) Resold by the buyer to an entity that is not a member of
27 the combined group;

1 "(II) Resold by the buyer to an entity that is a member of
2 the combined group for use outside the unitary business in which the buyer and seller are
3 engaged; or

4 "(III) Converted by the buyer to a use outside the unitary
5 business in which the buyer and seller are engaged; or

6 "(ii) The buyer and seller are no longer members of the same
7 combined group, regardless of whether the members remain unitary.

8 "(6)(A) A charitable expense incurred by a member of a combined group shall, to
9 the extent allowable as a deduction pursuant to section 170 of the Internal Revenue Code of
10 1986, be subtracted first from the business income of the combined group, subject to the income
11 limitations of that section applied to the entire business income of the group, and any remaining
12 amount shall then be treated as a nonbusiness expense allocable to the member that incurred the
13 expense, subject to the income limitations of that section applied to the nonbusiness income of
14 that specific member.

15 "(B) Any charitable deduction disallowed under subparagraph (A) of this
16 paragraph, but allowed as a carryover deduction in a subsequent year, shall be treated as
17 originally incurred in the subsequent year by the same member, and the rules set forth in this
18 section shall apply in the subsequent year in determining the allowable deduction in that year.

19 "(7) Gain or loss from the sale or exchange of capital assets, property described
20 by section 1231(a)(3) of the Internal Revenue Code of 1986, and property subject to an
21 involuntary conversion shall be removed from the total separate net income of each member of a
22 combined group and shall be apportioned and allocated as follows:

23 "(A) For each class of gain or loss (short-term capital, long-term capital,
24 section 1231 of the Internal Revenue Code of 1986, and involuntary conversions) all members'
25 business gain and loss for the class shall be combined without netting between classes and each
26 class of net business gain or loss separately apportioned to each member using the member's
27 apportionment percentage determined under § 47-1810.04.

1 "(B) Each taxpayer member shall then net its apportioned business gain or
2 loss for all classes, including any such apportioned business gain and loss from other combined
3 groups, against the taxpayer member's nonbusiness gain and loss for all classes allocated to the
4 District, using the rules of sections 1222 and 1231 of the Internal Revenue Code of 1986, without
5 regard to any of the taxpayer member's gains or losses from the sale or exchange of capital
6 assets, section 1231 of the Internal Revenue Code of 1986 property, and involuntary conversions
7 that are nonbusiness items allocated to another state.

8 "(C) Any resulting District source income or loss, if the loss is not subject
9 to the limitations of section 1211 of the Internal Revenue Code of 1986, of a taxpayer member
10 produced by the application of the preceding subparagraphs shall then be applied to all other
11 District source income or loss of that member.

12 "(D) Any resulting District source loss of a member that is subject to the
13 limitations of section 1211 of the Internal Revenue Code of 1986 shall be carried over by that
14 member and shall be treated as District source short-term capital loss incurred by that member
15 for the year for which the carryover applies.

16 "(8) Any expense of one member of the unitary group that is directly or indirectly
17 attributable to the nonbusiness or exempt income of another member of the unitary group shall
18 be allocated to that other member as a corresponding nonbusiness or exempt expense, as
19 appropriate.

20 "§ 47-1810.06. Designation of agent.

21 "As a filing convenience, and without changing the respective liability of group
22 members, members of a combined reporting group shall designate one taxpayer member of the
23 combined group to file a single return, in the form and manner prescribed by the Chief Financial
24 Officer, in lieu of filing their own respective returns; provided, that the taxpayer designated to
25 file the single return consents to act as surety with respect to the tax liability of all other
26 taxpayers properly included in the combined report and agrees to act as agent on behalf of those
27 taxpayers for tax matters relating to the combined report. If for any reason the agent is unwilling

1 or unable to perform its responsibilities, tax liability may be assessed against the taxpayer
2 members.

3 "§ 47-1810.07. Water's-edge reporting; initiation and withdrawal election.

4 "(a)(1) Absent an election under subsection (b) of this section to report based upon a
5 worldwide unitary combined reporting basis, taxpayer members of a unitary group shall
6 determine each of their apportioned shares of the net business income or loss of the combined
7 group on a water's-edge unitary combined reporting basis.

8 "(2) In determining tax under this chapter on a water's-edge unitary combined
9 reporting basis, taxpayer members shall take into account all or a portion of the income and
10 apportionment factors of only the following members otherwise included in the combined group
11 pursuant to § 47-1805.02a:

12 "(A) The entire income and apportionment factors of any member
13 incorporated in the United States or formed under the laws of any state, the District, or any
14 territory or possession of the United States;

15 "(B) The entire income and apportionment factors of any member,
16 regardless of the place incorporated or formed, if the average of its property, payroll, and sales
17 factors within the United States is 20% or more;

18 "(C) The entire income and apportionment factors of any member that is a
19 domestic international sales corporation, as described in sections 991 through 994 of the Internal
20 Revenue Code of 1986, inclusive, a foreign sales corporation, as described in sections 921
21 through 927 of the Internal Revenue Code of 1986, inclusive, or any member that is an export
22 trade corporation, as described in sections 970 through 971 of the Internal Revenue Code of
23 1986, inclusive;

24 "(D) Any member not described in subparagraphs (A), (B), or (C) of this
25 paragraph shall include its business income that is effectively connected, or treated as effectively
26 connected under the provisions of the Internal Revenue Code of 1986 with the conduct of a trade
27 or business within the United States and, for that reason, subject to federal income tax;

1 "(E) Any member that is a resident of a country that does not have a
2 comprehensive income tax treaty with the United States and earns more than 20% of its income,
3 directly or indirectly, from intangible property or service-related activities that are deductible
4 against the business income of other members of the water's-edge group, to the extent of that
5 income and the apportionment factors related thereto; and

6 "(F)(i) The entire income and apportionment factors of any member that is
7 doing business in a tax haven defined as being engaged in activity sufficient for that tax haven
8 jurisdiction to impose a tax under United States constitutional standards.

9 "(ii) If the member's business activity within a tax haven is
10 entirely outside the scope of the laws, provisions, and practices that cause the jurisdiction to meet
11 the criteria of a tax haven, as that term is defined in § 47-1801.04(49), the activity of the member
12 shall be treated as not having been conducted in a tax haven.

13 "(b) An election to report District tax based on worldwide unitary combined reporting is
14 effective only if made on a timely filed original return for a tax year by every member of the
15 unitary business subject to tax under this chapter.

16 "(c) At the discretion of the Chief Financial Officer:

17 "(1) A worldwide unitary combined reporting election may be disregarded, in part
18 or in whole, and the income and apportionment factors of any member of the taxpayer's unitary
19 group may be included in or excluded from the combined report without regard to the provisions
20 of this section, if any member of the unitary group fails to comply with any provision of this
21 chapter; and

22 "(2) Worldwide unitary combined reporting may be mandated, in part or in whole,
23 and the income and apportionment factors of any member of the taxpayer's unitary group may be
24 included in or excluded from the combined report without regard to the provisions of this
25 section, if any member of the unitary group fails to comply with any provision of this chapter, or
26 if a person otherwise not included in the water's-edge combined group was availed of with a
27 substantial objective of avoiding District income tax.

1 "(d)(1) A worldwide unitary combined reporting election is binding for and applicable to
2 the tax year it is made and all tax years thereafter for a period of 10 years. It may be withdrawn
3 or reinstated after withdrawal, before the expiration of the 10-year period, only upon written
4 request for reasonable cause based on extraordinary hardship due to unforeseen changes in
5 District tax statutes, law, or policy, and only with the written authorization of the Chief Financial
6 Officer.

7 "(2) An election shall constitute consent to the reasonable production of
8 documents and taking of depositions in accordance with District law.

9 "(3) If the Chief Financial Officer grants a withdrawal of election pursuant to
10 paragraph (1) of this subsection, he or she shall impose reasonable conditions necessary to
11 prevent the evasion of tax or to clearly reflect income for the election period before or after the
12 withdrawal.

13 "(4) Upon the expiration of the 10-year period, a taxpayer may withdraw from the
14 worldwide unitary combined reporting election. Withdrawal must be made in writing within one
15 year of the expiration of the election and is binding for a period of 10 years, subject to the same
16 conditions as applied to the original election.

17 "(e) The Chief Financial Officer shall develop rules governing the impact, if any, on the
18 scope or application of a worldwide unitary combined reporting election, including termination
19 or deemed election, resulting from a change in the composition of the unitary group, the
20 combined group, the taxpayer members, and any other similar change.

21 "§ 47-1810.08. Accounting rules; future deductions.

22 "(a) If the enactment of combined reporting requirements for unitary businesses results in
23 an increase to a combined group's net deferred tax liability, the combined group shall be entitled
24 to a deduction to the extent determined under subsection (b) of this section. Only publicly traded
25 companies, including affiliated corporations participating in the filing of a publicly traded
26 company's financial statements prepared in accordance with generally accepted accounting
27 principles, as of September 14, 2011, shall be eligible for this deduction. To the extent the

1 deduction would produce a net operating loss in any tax year, the unused deduction may be
2 carried forward to each succeeding tax year by the combined group.

3 "(b) For the 7-year period beginning with the 5th year of the combined filing, a combined
4 group shall be entitled to a deduction equal to 1/7th of the net increase in the taxable temporary
5 differences that caused the increase in the net deferred tax liability, as computed at the time of
6 enactment in accordance with generally accepted accounting principles, that would result from
7 the imposition of the combined reporting requirements but for the deduction provided under this
8 section. The amount of the deduction shall in no case exceed the amount necessary to offset any
9 increase in net deferred tax liability, as computed in accordance with generally accepted
10 accounting principles, that would result from the imposition of all of the provisions of combined
11 reporting but for the deduction provided under this section.

12 "(c) For the purposes of this section, the term "net deferred tax liability" shall mean the
13 net increase, if any, in deferred tax liabilities minus the net increase, if any, in deferred tax assets
14 of the combined group, as computed in accordance with generally accepted accounting
15 principles."

16 Sec. 7103. Applicability.

17 This subtitle shall apply for taxable years beginning after December 31, 2010.

18 **SUBTITLE K. FIRST CONGREGATIONAL UNITED CHURCH OF CHRIST**
19 **TAX RELIEF**

20 Sec. 7111. Short title.

21 This subtitle may be cited as the "First Congregational United Church of Christ Tax
22 Relief Amendment Act 2013".

23 Sec. 7112. Section 7013 of the Fiscal Year 2011 Budget Support Act of 2010, effective
24 September 24, 2010 (D.C. Law 18-223; 57 DCR 6242), is amended to read as follows:

25 "Sec. 7013. Equitable real property tax relief.

26 "Of the deed transfer taxes imposed on the transfer by First Congregational United
27 Church of Christ of Lots 834, 835, 837, 7003, 7006, 7007, 7008, 7009, 7010, 7011, 7014, 7015,

1 Square 375, and any other lots created from Lots 823 and 831, Square 375, and all real property
2 taxes, interest, penalties, fees and other related charges assessed against First Congregational
3 United Church of Christ on real property located on Lots 823 and 831 (or as the land for such
4 lots may be subdivided into a record lot or lots or assessment and taxation lots in the future),
5 Square, 375, \$951,000 shall be forgiven by the District and refunded to First Congregational
6 United Church of Christ."

7 **SUBTITLE L. TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF**

8 Sec. 7121. Short title.

9 This subtitle may be cited as the "Tregaron Conservancy Tax Exemption and Relief
10 Amendment Act of 2013".

11 Sec. 7122. (a) The Council orders the forgiveness for the period beginning March 1,
12 2007, through the end of the month that this subtitle becomes effective of:

13 (1) All real property taxes, interest, penalties, fees, and other related charges
14 assessed against the real property described as Lots 842, 849, and 857, Square 2084;

15 (2) Eighty-eight percent of the real property taxes, interest, penalties, fees, and
16 other related charges assessed against the real property described as Lot 843, Square 2084; and

17 (3) All transfer and recordation taxes, interest, and penalties (but excluding
18 recordation fees) imposed with respect to the conveyance of any of the properties described in
19 this section to the Tregaron Conservancy, a District of Columbia nonprofit corporation.

20 (b) The Council further orders that, notwithstanding any law or rule of law limiting the
21 time for claiming a refund of such taxes, any payments made for the period beginning March 1,
22 2007, through the end of the month that this subtitle becomes effective shall be refunded to the
23 person who made the payment.

24 Sec. 7123. Applicability.

25 This subtitle shall apply upon a reprogramming of \$222,490 to the Office of the Chief
26 Financial Officer in fiscal year 2013.

1 **SUBTITLE M. ADAMS MORGAN HOTEL REAL PROPERTY TAX**

2 **ABATEMENT JOBS REQUIREMENT CLARIFICATION**

3 Sec. 7131. Short title.

4 This subtitle may be cited as the "Adams Morgan Hotel Real Property Tax Abatement
5 Jobs Requirements Clarification Act of 2013".

6 Sec. 7132. Section 47-4652 of the District of Columbia Official Code is amended by
7 striking the number "765" and inserting the number "342" in its place.

8 **SUBTITLE N. TAX REVISION COMMISSION EXTENSION AND**
9 **PROCUREMENT STREAMLINING**

10 Sec. 7141. Short title.

11 This subtitle may be cited as the "Tax Revision Commission Extension and Procurement
12 Streamlining Amendment Act of 2013".

13 Sec. 7142. Section 47-462(d) of the District of Columbia Official Code is amended by
14 striking the phrase "9 months after the Commission's appointment" and inserting the phrase
15 "December 31, 2013" in its place.

16 Sec. 7143. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C.
17 Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

18 (a) Section 201(b) (D.C. Official Code § 2-352.01(b)) is amended by adding a new
19 paragraph (1A) to read as follows:

20 "(1A) The Tax Revision Commission, pursuant to section 407;"

21 (b) Section 407 (D.C. Official Code § 2-354.07) is amended as follows:

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

23 "(a-1) The Tax Revision Commission may establish a streamlined noncompetitive
24 process for entering into contracts for goods and services not exceeding \$40,000."

25 (2) Subsection (b) is amended by striking the phrase "this section" and inserting
26 the phrase "this section or the \$40,000 limitation of subsection (a-1) of this section" in its place.

27 **SUBTITLE O. TAX CLARIFICATIONS**

1 Sec. 7151. Short title.

2 This subtitle may be cited as the "Tax Clarification Amendments Act of 2013".

3 Sec. 7152. (a) Section 302(32) of the District of Columbia Deed Recordation Tax Act,
4 approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102(32)), is amended to read as
5 follows:

6 "(32) A deed to property to which there is a valid certification by the Mayor that
7 both the property and transferee are eligible for exemption from real property taxation pursuant
8 to D.C. Official Code § 47-1005.02; provided, that, unless waived by regulation, a copy of the
9 certification shall accompany the deed at the time it is submitted for recordation."

10 (b) This section shall apply as of September 20, 2012.

11 Sec. 7153. (a) Section 47-902 of the District of Columbia Official Code is amended by
12 adding a new paragraph (25) to read as follows:

13 "(25) Transfers of property to which there is a valid certification by the Mayor
14 that both the property and transferor are eligible for exemption from property taxation pursuant
15 to § 47-1005.02; provided, that, unless waived by regulation, a copy of the certification shall
16 accompany the deed at the time it is submitted for recordation."

17 (b) This section shall apply as of September 20, 2012.

18 Sec. 7154. (a) Section 47-1005.02(a)(1) of the District of Columbia Official Code is
19 amended to read as follows:

20 "(a)(1) Property eligible for the low-income housing tax credit provided by section 42 of
21 the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2189; 26 U.S.C. § 42),
22 ("affordable housing") that is owned by an organization that is not organized or operated for
23 private gain, or that is owned by an entity controlled, directly or indirectly, by such an
24 organization, shall be exempt from the tax imposed by Chapter 8 of this title and from a payment
25 in lieu of tax imposed under § 47-1002(20) during the time that the real property is being
26 developed for or being used as affordable housing and is subject to restrictive covenants

1 governing income during the federal low-income housing tax credit compliance period, including
2 any extended use period."

3 (b) This section shall apply as of September 20, 2012.

4 Sec. 7155. Section 47-2202 of the District of Columbia Official Code is amended as
5 follows:

6 (a) The lead-in text is amended by striking the phrase "shall be 5.75%, except for the
7 period beginning October 1, 2009, and ending September 30, 2012, the rate shall be 6%," and
8 inserting the phrase "shall be 6%" in its place.

9 (b) Paragraph (3A) is amended by striking the phrase "The rate of the tax shall be 9%"
10 and inserting the phrase "Effective October 1, 2011, the rate of the tax shall be 10%" in its place.

11 Sec. 7156. Section 47-3802(b) of the District of Columbia Official Code is amended by
12 striking the phrase "a qualified supermarket, qualified restaurant, or retail store" and inserting the
13 phrase "a qualified restaurant or retail store" in its place.

14 Sec. 7157. Chapter 47 of Title 47 of the District of Columbia Official Code is amended as
15 follows:

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

18 "47-4704. Applicability."

19 (b) Section 47-4702 is amended to read as follows:

20 "§ 47-4702. Annual certification of continuing eligibility for exemptions and abatements
21 from real property tax.

22 "(a) To the extent allowable by law, on or before April 1 of each year, beginning in 2012,
23 and every year thereafter, any nonprofit organization or business entity owning property
24 receiving a real property tax exemption or abatement pursuant to Chapter 10 (other than property
25 exempt under § 47-1002(1), (2), (3), or (21)) or Chapter 46 of this title, regardless of when the
26 exemption or abatement was received, shall be required to file an annual report, under oath, with
27 the Office of the Chief Financial Officer providing:

1 "(1) The lot and square, parcel, or reservation number of the real property and
2 certifying that the real property has been used during the preceding real property tax year for the
3 purpose for which the exemption or abatement was granted; and

4 "(2) A description of the community benefits provided pursuant to the provisions
5 of the act granting the tax exemption or abatement, or an update on the progress of the
6 community benefits identified in the act granting the tax exemption or abatement.

7 "(b) Failure to certify that the property was still eligible for the exemption or abatement
8 based on the use of the property as required by subsection (a)(1) of this section shall result in a
9 termination of the exemption or abatement as of the beginning of the tax year in which the report
10 is required to be filed. If the report is not filed timely, the Office of the Chief Financial Officer
11 shall assess a penalty of \$250. This section shall not apply to a property owner that is required to
12 file an annual report pursuant to § 47-1007.

13 "(c) Upon written application by the property owner filed on or before April 1 of any
14 year, the Office of the Chief Financial Officer may grant a reasonable extension of time for filing
15 the report required under subsection (a) of this section. For reasonable cause, the Office of the
16 Chief Financial Officer may abate the penalty provided under subsection (b) of this section as
17 well as the tax, penalty, and interest resulting from the failure to file the report timely."

18 (c) A new section 47-4704 is added to read as follows:

19 "§ 47-4704. Applicability.

20 "This chapter shall apply as of October 1, 2011."

21 Sec. 7158. Chapter 28 of Title 47 of the District of Columbia Official Code is amended
22 as follows:

23 (a) Section 47-2884.03 is amended by adding a new subsection (f) to read as follows:

24 "(f) No license shall be issued to any person unless:

25 "(1) At least 30 days prior to the issuance of a license, all affected Advisory
26 Neighborhood Commissions have been provided notice that a pawnbroker license application

1 has been submitted to the Mayor; provided, that this paragraph shall not apply to applications for
2 a renewal of a pawnbroker license; and

3 "(2) The opinion of all affected Advisory Neighborhood Commissions have been
4 accorded great weight during deliberations to approve or deny the license application."

5 (b) Section 47-2884.05 (b) is amended by striking the phrase "immediately give written
6 notice thereof to the Mayor. Upon receipt of such notice the Mayor shall attach to the license a
7 statement of the change of location and the date thereof, which shall be authority for the
8 operation of such business under such license at the new location" and inserting the phrase "file
9 an application for a new license in accordance with the provisions of § 47-2884.03" in its place.

10 (c) Section 47-2884.09 is amended as follows:

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

12 "(a) Beginning January 1, 2011, the maximum rate of interest which a pawnbroker may
13 contract for, and receive, including fees, shall not exceed 5% per month, or fraction of the
14 month, for the first 6 months of a loan, and 3% per month, or fraction of the month, thereafter;
15 provided that, a pawnbroker may contract for, and receive, a minimum charge of \$2 per month,
16 or fraction of the month, in lieu of interest."

17 (2) New subsection (c) and (d) are added to read as follows:

18 "(c) Once during each calendar year, a borrower shall have the right to rescind any pawn
19 loan by the end of the same business day of the transaction. A \$2 fee may be assessed by the
20 licensee to offset the administrative cost of the rescission.

21 "(d) The Mayor shall, no more frequently than once every 3 years, investigate from time
22 to time the economic conditions and other factors relating to and affecting the business of
23 making pawnbroker loans under this part and shall ascertain and report to the Council all
24 pertinent facts necessary to determine what maximum rate of interest should be permitted."

25 (d) Section 47-2884.11(d) is amended by striking the phrase "on forms to be prescribed
26 by the Mayor of the District of Columbia" and inserting the phrase "on forms or via electronic
27 means in a format prescribed by the Mayor" in its place.

1 (e) The text of section 47-2884.17 is amended to read as follows:

2 "The Mayor, pursuant to Chapter 2 of Title 5, may issue rules to implement the
3 provisions of this act."

4 **SUBTITLE P. TAX ABATEMENT FINANCIAL ANALYSIS REQUIREMENTS**

5 Sec. 7161. Short title.

6 This subtitle may be cited that the "Tax Abatement Financial Analysis Requirements Act
7 of 2013".

8 Sec. 7162. Chapter 47 of Title 47 of the District of Columbia Official Code is amended
9 as follows:

10 (a) Section 47-4701 is amended to read as follows:

11 "§ 47-4701. TAFA requirements.

12 "(a) A bill introduced in the Council that grants an exemption or abatement of a tax
13 imposed by this title or by § 42-1103 on, or related to, real property shall not receive a Council
14 hearing until a completed tax abatement financial analysis ("TAFA") has been provided to the
15 Council and made available to the public.

16 "(b)(1) The TAFA shall include:

17 "(A) The terms of the exemption or abatement;

18 "(B) The estimated annual value of the exemption or abatement;

19 "(C) The purpose for which the grantee seeks the exemption or abatement;

20 "(D) A summary of the proposed community benefits to be provided by
21 the grantee of the exemption or abatement, including, if applicable, the number of jobs that may
22 be created, delineated in accordance with paragraph (2)(A)(iv), (v) and (vi) of this subsection;

23 "(E) If, in the opinion of the Chief Financial Officer, it is unlikely that the
24 grantee's stated purpose could be accomplished without the proposed exemption or abatement:

25 "(i) An estimate of the amount of exemption or abatement
26 necessary to accomplish the purpose;

27 "(ii) Efforts by the grantee to obtain alternate financing, and

1 "(iii) Any factors that limit the ability of the grantee to obtain
2 adequate financing; and

3 "(F) A financial analysis prepared by the Office of the Chief Financial
4 Officer, which shall consist of:

5 "(i) For existing buildings, a review and analysis of the financial
6 condition of the recipient of the proposed exemption or abatement and an advisory opinion
7 stating whether or not it is likely that the recipient could be reasonably expected to meet its fiscal
8 needs without the proposed exemption or abatement.

9 "(ii) For new developments, a review and analysis of the financial
10 condition of recipient of the proposed exemption or abatement and of the financing proposal
11 submitted by the recipient and an advisory opinion stating whether or not it is likely that the
12 project could be financed without the proposed exemption or abatement.

13 "(iii) For exemptions or abatements related to a specific individual
14 or entity, a review and analysis of the financial condition of the recipient of the proposed
15 exemption or abatement and an advisory opinion stating whether or not it is likely that the
16 recipient could be reasonably expected to meet its fiscal needs without the proposed exemption
17 or abatement; and

18 "(iv) For exemptions or abatements related to a category or group
19 of property owners or taxpayers, a review and analysis of the public policy goal intended to be
20 addressed, if applicable, by the exemption or abatement, including whether the exemption or
21 abatement is appropriately targeted and likely to achieve the intended goal.

22 "(2)(A) In addition to the requirements described in paragraph (1) of this
23 subsection, for a bill that grants an exemption or abatement to a housing development, the TAFAs
24 shall include in the summary of the proposed community benefits:

25 "(i) The number of affordable housing units to be developed;

26 "(ii) For what level of Area Median Income, as defined by § 47-
27 858.01 1(A)(i), the units will be affordable;

1 "(iii) The assessed financial value of the subsidy, which shall be
2 measured as the difference between the market rate of a comparable unit within the same
3 neighborhood and the rate that is being charged as affordable housing;

4 "(iv) The number of jobs that will be created, delineated by status
5 as to whether a job is:

6 "(I) Permanent;

7 "(II) Temporary;

8 "(III) Full-time; or

9 "(IV) Part-time;

10 "(v) The estimated wages and benefits for each job created;

11 "(vi) Any commitment made to hiring District residents; and

12 "(vii) A description of any other public policy goal that the
13 exemption or abatement is meant to address, including expected results.

14 "(B) The summary shall state which community benefits are already
15 required by law, such as inclusionary zoning, the community amenities that have already been
16 negotiated as part of a planned-unit-development approval, and the requirements or incentives
17 already included in law or regulation, such as environmental standards."

18 (b) Section 47-4703 is amended by striking the citation "§ 47-4701(b)(4)" and inserting
19 the citation "§ 47-4701(b)(1)(F)" in its place.

20 **SUBTITLE Q. CLARIFICATION OF PERSONAL PROPERTY TAX REVENUE**
21 **REPORTING**

22 Sec. 7171. Short Title.

23 This act may be cited as the "Clarification of Personal Property Tax Revenue Reporting
24 Act of 2013."

25 Sec. 7172. Section 47-501 of the District of Columbia Official Code is amended by
26 adding the following sentence at the end:

1 "Beginning September 30, 2011, personal property tax shall be reported in the fiscal year
2 in which it is collected."

3 **SUBTITLE R. INCOME TAX WITHHOLDING STATEMENTS ELECTRONIC**
4 **SUBMISSION**

5 Sec. 7181. Short Title.

6 This act may be cited as the "Income Tax Withholding Statements Electronic Submission
7 Temporary Act of 2013".

8 Sec. 7182. Section 47-1812.08 of the District of Columbia Official Code is amended as
9 follows:

10 (a) Subsection (g)(1)(B) is amended by striking the last sentence.

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

12 "(n)(1) Beginning for statements due after December 31, 2011, each employer or payor
13 required under this section to withhold income tax for an employee or a person who receives a
14 payment subject to withholding ("payee") shall prepare a statement for each employee or payee
15 that shows for the previous calendar year any information that the Chief Financial Officer
16 requires by regulation or guidance.

17 "(2)(A) An employer or payor required to submit the statements pursuant to
18 paragraph (1) of this subsection shall submit one copy of the statement for each employee or
19 payee to the Chief Financial Officer by January 31 of each year.

20 "(B) Except as provided by subparagraph (C) of this paragraph, if the
21 number of statements that an employer or payor is required to submit is 25 or more, the employer
22 or payor shall submit the statements in an electronic format, as prescribed by the Chief Financial
23 Officer.

24 "(C) The Chief Financial Officer may waive the requirement that an
25 employer or payor submit statements in electronic format if the Chief Financial Officer
26 determines that the requirement will result in undue hardship to the employer or payor."

27 **SUBTITLE S. CLEAN HANDS**

1 Sec. 7191. Short title.

2 This subtitle may be cited as the "Clean Hands Amendment Act of 2013".

3 Sec. 7192. Subsection 47-2862(a) of the District of Columbia Official Code is amended
4 follows:

5 (a) Paragraph (6) is amended by striking the word "or".

6 (b) Paragraph (7) is amended by striking the period and inserting the phrase "; or" in its
7 place.

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

9 "(8) Has failed to filed required District tax returns."

10 **SUBTITLE T. INCOME TAX STANDARD DEDUCTION CLARIFICATION**

11 Sec. 7201. Short title.

12 This subtitle may be cited as the "Income Tax Standard Deduction Clarification Act of
13 2013".

14 Sec. 7202. (a) Section 47-1801.04(44)(B) of the District of Columbia Official Code is
15 amended to read as follows:

16 "(B) One-half of the amount determined in subparagraph (A) of this
17 paragraph, in the case of a married person filing separately; or".

18 (b) This section shall apply for tax years beginning after December 31, 2012.

19 **SUBTITLE U. DESTINATION DC CLARIFICATION**

20 Sec. 7211. Short title.

21 This subtitle may be cited as the "Destination DC Technical Clarification Amendment
22 Act of 2013".

23 Sec. 7212. The Washington Convention Center Authority Act of 1994, effective
24 September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended as
25 follows:

26 (a) Section 208a(h) (D.C. Official Code § 10-1202.08a(h)) is amended by striking the
27 phrase "transfer \$3 million from" and inserting the phrase "transfer \$3 million, as adjusted for

1 inflation beginning in fiscal year 2015, as measured by the percentage increase, if any, from the
2 preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the
3 Bureau of Labor Statistics of the Department of Labor, from" in its place.

4 (b) Section 205(f) (D.C. Official Code § 10-1202.05(f)) is repealed.

5 **SUBTITLE V. TIBETAN COMMUNITY REAL PROPERTY TAX EXEMPTION**
6 **AND RELIEF**

7 Sec. 7221. Short title.

8 This subtitle may be cited as the "Tibetan Community Real Property Tax Exemption and
9 Relief Act of 2013".

10 Sec. 7222. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as
11 follows:

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

14 "47-46__. Tibetan community property; lot 30, square 139."

15 (b) A new section 47-46__ is added to read as follows:

16 "§ 47-46__. Tibetan community property; lot 30, square 139.

17 "The real property described as Lot 30, Square 139 shall be exempt from real property
18 taxation so long as the real property is owned and used by the International Campaign for Tibet,
19 an organization approved under section 501(c)(3) of the Internal Revenue Code, and used solely
20 to further its tax-exempt purposes including, continuing to offer programs that are open and free
21 to the general public, such as lectures, films, art exhibits, a library of Tibetan materials, and
22 meeting space for the Tibetan and Buddhist communities of the District."

23 **SUBTITLE W. CONTINGENCY CASH RESERVE NOTIFICATION**

24 Sec. 7231. Short title

25 This subtitle may be cited as the "Contingency Cash Reserve Notification Act of 2013".

26 Sec. 7232. Within 3 business days after an allocation from or use of the contingency cash
27 reserve fund established by section 450A of the District of Columbia Home Rule Act, approved

1 November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), the Chief Financial
2 Officer shall transmit to the Budget Director of the Council a report of the:

3 (1) Amount of the allocation or use; and

4 (2) Purpose of the allocation or use.

5 **SUBTITLE X. DEDICATED FUNDING FOR THE COMMISSION ON ARTS**
6 **AND HUMANITIES COMMISSION**

7 Sec. 7241. Short title.

8 This subtitle may be cited as the "Dedicated Funding for the Commission on Arts and
9 Humanities Act of 2013".

10 Sec. 7242. Section 6a of the Commission on the Arts and Humanities Act, effective
11 October 21, 1975 (D.C. Law 1-22; D.C. Official Code § 39-205.01), is amended as follows:

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

13 "(a-1) There shall be deposited into the Fund:

14 "(1) Dedicated taxes as provided by subsection (a-2) of this section;

15 "(2) Interest earned on money deposited into the Fund.

16 "(3) Private donations, gifts, and grants; and

17 "(4) Proceeds of the sale or loan of works of arts, prints, and promotional items.

18 (b) A new subsection (a-2) is added to read as follows:

19 "(a-2)(1) Notwithstanding section 47-392.02 of the District of Columbia Official Code,
20 beginning in fiscal year 2014, of the amount of revenue by which taxes imposed by section
21 47-2002 of the District of Columbia Official Code ("sales-tax revenue") reported in the fiscal
22 year's Comprehensive Annual Financial Report exceed the annual sales-tax revenue estimate
23 from February 22, 2013, quarterly revenue estimate provided by the Chief Financial Officer, up
24 to \$22 million of the sales-tax revenue shall be deposited into the Fund for use in the following
25 fiscal year.

26 "(2) In each fiscal year thereafter, except as provided by paragraph (4) of this
27 subsection, the amount to be deposited in the Fund shall be adjusted for inflation, as measured by

1 the percentage increase, if any, from fiscal year 2014 in the Consumer Price Index for All Urban
2 Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

3 "(3) Any revenue deposited in the Fund pursuant to paragraphs (1) and (2) of this
4 subsection shall, dollar-for-dollar, be used to offset other local funds available to the
5 Commission.

6 "(4) For each fiscal year, any unexpended funds in the Fund attributable to
7 dedicated taxes from the previous fiscal year shall be deducted from the amount to be deposited
8 in that fiscal year."

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

10 "(f) Beginning in fiscal year 2017, the Commission shall be funded entirely from moneys
11 deposited into the Fund."

12 Sec. 7243. Section 47-2002 of the District of Columbia Official Code is amended by
13 adding a new subsection (c) to read as follows:

14 "(c) Of the revenue received pursuant to this section, a portion shall be allocated to the
15 Arts and Humanities Enterprise Fund in accordance with § 39-205.01(a-2)."

16 **SUBTITLE Y. BRYANT MEWS HOMEOWNER'S ASSOCIATION EQUITABLE**
17 **REAL PROPERTY TAX RELIEF**

18 Sec. 7251. Short title.

19 This subtitle may be cited as the "Bryant Mews Homeowner's Association Equitable Real
20 Property Tax Relief Act of 2013".

21 Sec. 7252. The Council orders that all real property taxes, interest, penalties fees, and
22 other related charges assessed against Lots 0858 and 0859 in Square 4112, currently owned by
23 the Bryant Mews Homeowners Association, for tax years 1989 through 2007, inclusive, shall be
24 forgiven. The Council further orders that all tax sales of lots 0858 and 0859 in Square 4112
25 conducted under Chapter 13A of Title 47 of the District of Columbia Official Code shall be
26 cancelled pursuant to section 47-1366 of the District of Columbia Official Code.

1 **SUBTITLE Z. BASILICA OF THE NATIONAL SHRINE OF THE**
2 **IMMACULATE CONCEPTION REAL PROPERTY TAX EXEMPTION**

3 Sec. 7261. Short title.

4 This subtitle may be cited as the "Basilica of the National Shrine of the Immaculate
5 Conception Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2013".

6 Sec. 7262. Chapter 10 of Title 47 of the District of Columbia Official Code is amended
7 as follows:

8 (a) The table of contents for Chapter 10 is amended by adding a new section 47-10__ to
9 read as follows:

10 "47-10__. Basilica of the National Shrine of the Immaculate Conception Property;
11 Lot 6, Square 3663".

12 (b) A new section 47-10__ is added to read as follows:

13 "§ 47-10__. Basilica of the National Shrine of the Immaculate Conception Property; Lot
14 6, Square 3663.

15 "(a) The Basilica of the National Shrine of the Immaculate Conception Property, Lot 6,
16 Square 3663, located in the Northeast quadrant of the District of Columbia and comprising
17 approximately 5 acres of land, generally bounded by the Basilica's parking lot, Harewood Road,
18 and the Catholic University of America, together with the improvements thereon and owned by
19 the Basilica of the National Shrine of the Immaculate Conception ("Property") shall be exempt
20 from all taxation so long as it is owned and planned for use by, or actually used by, the Basilica
21 of the National Shrine of the Immaculate Conception for its purposes and activities and is not
22 used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009.

23 "(b) If the owner applies for and is granted a real property tax exemption under § 47-
24 1002, the exemption provided under subsection (a) of this section shall terminate on the day
25 before the effective date of the exemption granted under § 47-1002.

26 "(c) Real property taxes, interest, penalties, fees, and other related charges assessed
27 against the Property for the period of July 1, 2012, through the end of the month following the

1 effective date of this act, as well as transfer and recordation taxes, interest, and penalties incurred
2 as a result of the conveyance of Lot 6 in Square 3663 to the Basilica of the National Shrine of the
3 Immaculate Conception Property, shall be forgiven, and any payments made for the period or on
4 account of the conveyance shall be refunded."

5 **SUBTITLE AA. JUBILEE HOUSING RESIDENTIAL RENTAL PROJECT**

6 **PROPERTY TAX EXEMPTION**

7 Sec. 7271. Short title.

8 This subtitle may be cited as the "Jubilee Housing Residential Rental Project Property
9 Tax Exemption and Equitable Real Property Tax Relief Act of 2013".

10 Sec.7272. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as
11 follows:

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

14 "§47-10__. Jubilee Housing Limited Partnership Residential Rental Project; Lots 62, 63,
15 and 809, Square 2576, and Lot 818, Square 2566."

16 (b) A new section §47-10__ is added to read as follows:

17 "§47-10__. Jubilee Housing Limited Partnership Residential Rental Project; Lots 62, 63,
18 and 809, Square 2576, and Lot 818, Square 2566.

19 "The real properties described as Lots 62, 63, and 809, Square 2576, and Lot 818, Square
20 2566, owned by Jubilee Housing, Inc., or by Jubilee Housing Limited Partnership, shall be
21 exempt from real property taxation so long as the real properties continue to be owned by Jubilee
22 Housing, Inc., or Jubilee Housing Limited Partnership, and continue to be under applicable use
23 restrictions during a federal low-income housing tax credit compliance period, and not used for
24 commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009."

25 Sec. 7273. Applicability.

26 This act shall apply as of October 1, 2012.

27 **SUBTITLE BB. MARRIAGE EQUALITY ESTATE TAX CLARIFICATION**

1 Sec. 7281. Short title.

2 This subtitle may be cited as the "Marriage Equality Estate Tax Clarification Act of
3 2013".

4 Sec. 7282. The Chief Financial Officer is directed to make the clarifying changes to all
5 estate tax forms, filing instructions, and regulations necessary to make it clear that all married
6 couples are eligible for estate tax deductions and exclusions, including the spousal exclusion of
7 bequests, whether direct or through trusts, to a surviving spouse, regardless of whether such
8 marriage is recognized under federal law.

9 **SUBTITLE CC. MOTOR VEHICLE FUEL TAX**

10 Sec. 7291. Short title.

11 This subtitle may be cited as the "Motor Vehicle Fuel Tax Amendment Act of 2013".

12 Sec. 7292. Section 47-2301(a) of the District of Columbia Official Code is amended to
13 read as follows:

14 "(a)(1) The District shall levy and collect a tax of 8.3% of the statewide average
15 wholesale price of gallon of motor vehicle fuel for the applicable base period, excluding federal
16 and state taxes, within the District, sold or otherwise disposed of by an importer or by a user, or
17 used for commercial purposes.

18 "(2) When computing the average wholesale price of a gallon of motor vehicle
19 fuel, the District shall use the period from March 1 through August 31 as the base period for such
20 determination for the immediately following period beginning October 1 and through December
21 31. The period from September 1 through February 28 shall be the next base period for the
22 immediately following period beginning April 1 and through September 30. In no case shall the
23 average wholesale price computed for purposes of this section be less than the statewide average
24 wholesale price of a gallon of unleaded regular gasoline on May 19, 2013."

25 **SUBTITLE DD. TITLE-HOLDING ENTITY REAL PROPERTY TAX**

26 **EXEMPTION**

27 Sec. 7301. Short title.

1 This subtitle may be cited as the "Title-Holding Entity Real Property Tax Exemption Act
2 of 2013".

3 Sec. 7302. Chapter 10 of Title 47 of the District of Columbia Official Code is amended
4 as follows:

5 (a) Section 47-1002 is amended as follows:

6 (1) Paragraph (29) is amended by striking the word "and" at the end.

7 (2) Paragraph (30) is amended by striking the period and inserting the phrase ";
8 and" in its place.

9 (3) A new paragraph (31) is added to read as follows:

10 "(31)(A) Property owned by a title-holding entity that is not organized or operated
11 for private gain, as to which all of the ownership, membership, or beneficial interest is vested in
12 an organization entitled to an exemption under paragraphs (6) through (20) of this section, and
13 that is used by the title-holding entity's owner, member, or beneficial interest holder for the
14 activities and purposes entitling the organization to the exemption.

15 "(B) A title-holding entity shall notify the Office of Tax and Revenue
16 within 30 days of any change in its owner, member or beneficial interest holder.

17 "(C) For the purposes of this paragraph, a "title-holding entity" means an
18 entity whose activities are limited to holding record title to a property, providing the property
19 (with or without consideration) for the use of the entity's owner, member, or beneficial interest
20 holder, encumbering the property with indebtedness and repaying indebtedness secured by the
21 property."

22 (b) Section 47-1005.01(a) is amended by striking the phrase "through (20)" and inserting
23 the phrase "through (20) and § 47-1002(31)" in its place.

24 **SUBTITLE EE. INTERNET SALES TAX AND WMATA MOMENTUM FUND**
25 **ESTABLISHMENT**

26 Sec. 7311. Short title.

1 This subtitle may be cited as the "Internet Sales Tax and WMATA Momentum Fund
2 Establishment Act of 2013".

3 Sec. 7312. Title 47 of the District of Columbia Official Code is amended as follows:

4 (a) The table of contents for the title is amended by adding a new chapter designation
5 "39A. Internet Tax." after the chapter designation "39. Toll Telecommunication Service
6 Tax."

7 (b) A new Chapter 39A is added to read as follows:

8 "Chapter 39A. Internet Tax

9 "Sec.

10 "47-3931. Definitions.

11 "47-3932. Imposition of tax.

12 "47-3933. Scope.

13 "47-3934. Deposit into General Fund.

14
15 "§ 47-3931. Definitions.

16 "For the purposes of this chapter, the term:

17 "(1) "Exempted vendor" means a remote-vendor that in accordance with local law
18 has a specified level of cumulative gross receipts from internet sales to purchasers in the District
19 that exempt it from the requirement to collect remote sales taxes pursuant to this chapter.

20 "(2) "Person" means an individual, trust, estate, fiduciary, partnership,
21 corporation, limited liability company, or any other legal entity.

22 "(3) "Remote-vendor" means a seller, whether or not it has a physical presence or
23 other nexus within the District of Columbia selling via the internet property or rendering a
24 service to a purchaser in the District.

25 "(4) "Remote sales taxes" means District sales and use taxes when applied to a
26 property or service sold by a vendor via the internet to a purchaser in the District.

1 "(5) "Vendor" means a person or retailer, including a remote-vendor, selling
2 property or rendering a service to a purchaser in the District of Columbia, the receipts from
3 which a sales and use tax may be imposed pursuant to District law or this chapter.

4 "§ 47-3932. Imposition of tax.

5 "(a) Within 120 days of the effective date of this chapter, the District government shall
6 require every remote-vendor not qualifying as an exempted vendor to collect and remit to the
7 District remote sales taxes on sales made via the internet to a purchaser in the District of
8 Columbia; provided, that the District government has established pursuant to local law:

9 "(1) A registry, with privacy and confidentiality controls so that it cannot be used
10 for any purpose other than the administration of remote sales taxes, where each remote-vendor,
11 not qualifying as an exempted vendor, shall be required to register;

12 "(2) Appropriate protections for consumer privacy;

13 "(3) A means for a remote-vendor to determine the current District sales and use
14 tax rate and taxability;

15 "(4)(A) A formula and procedure that permits a remote-vendor to deduct
16 reasonable compensation for expenses incurred in the administration, collection, and remittance
17 of remote sales taxes, other than remote sales taxes paid by the remote-vendor for goods or
18 services purchased for its own consumption.

19 "(B) The compensation authorized by subparagraph (A) of this paragraph
20 may be claimed by a third-party service provider that the remote-vendor has contracted with to
21 perform the responsibilities related to the administration, collection, and remittance of remote
22 sales taxes;

23 "(5) The date that the collection of remote sales taxes shall commence;

24 "(6) A small-vendor exemption, including a process for an exempted vendor to
25 apply for a certificate of exemption;

26 "(7) Subject to § 47-3933, the products and types of products that shall be exempt
27 from the remote sales taxes; and

1 "(8) Rules:

2 "(A) For accounting for bad debts and rounding;

3 "(B) That address refunds and credits for remote sales taxes relating to:

4 "(i) Customer returns;

5 "(ii) Restocking fees;

6 "(iii) Discounts; and

7 "(iv) Coupons;

8 "(C) For allocating shipping and handling and discounts that apply to
9 multiple items;

10 "(D) Regarding notice and procedural requirements for registry enrollment
11 by remote-vendors; and

12 "(E) That the Mayor determines are necessary or appropriate to further the
13 purposes of this chapter; and

14 "(9) A plan to substantially reduce the administrative burdens associated with
15 sales and use taxes, including remote sales taxes.

16 "(b) Every remote-vendor that does not qualify as an exempted vendor shall register with
17 the District pursuant to subsection (a)(1) of this section, in accordance with local law or rules
18 issued pursuant to this chapter or other local law.

19 "§ 47-3933. Scope.

20 "(a) Nothing in this chapter shall require the District to exempt or to impose a tax on any
21 product or to adopt any particular type of tax, or to impose the same rate of tax as any other
22 taxing jurisdiction that collects remote sales taxes.

23 "(b) Nothing in this chapter permits or prohibits the District from:

24 "(1) Licensing or regulating a person;

25 "(2) Requiring a person to qualify to transact remote selling;

26 "(3) Subjecting a person to District taxes not related to the sale of goods or
27 services;

1 "(4) Exercising authority over matters of interstate commerce."

2 "§ 47-3934. Deposit into General Fund.

3 "The proceeds of the taxes imposed under this chapter, and any money collected from
4 fees or fines charged pursuant to this chapter, if any, shall be deposited in the General Fund of
5 the District of Columbia established under § 47-131 and shall, dollar-for-dollar, be used to offset
6 revenue collected from the automated traffic enforcement."

7 Sec. 7313. WMATA Momentum fund, establishment.

8 (a) There is established as a special fund the WMATA Momentum Fund ("Fund), which
9 shall be administered by the Chief Financial Officer in accordance with subsection (c) of this
10 section.

11 (b) The Fund shall consist of 100% of the annual revenue from the automated traffic
12 enforcement program made available by section 7312 and the interest earned on that revenue.

13 (c) The shall be used to assist the Washington Metropolitan Area Transit Authority
14 ("WMATA") in meeting WMATA's near-term and strategic long-term goals, including capital
15 expenditures for repair of the existing system and expansion of the system. The Chief Financial
16 Officer shall transfer the funds in the Fund to WMATA for the sole and dedicated purpose of
17 assisting WMATA in funding its strategic plan, known as Momentum.

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

20 (2) Subject to authorization by Congress, any funds appropriated in the Fund shall
21 be continually available without regard to fiscal year limitation.

22 **SUBTITLE FF. AGE-IN-PLACE AND EQUITABLE SENIOR-CITIZEN REAL**
23 **PROPERTY AND RELIEF PAYMENT PLAN**

24 Sec. 7321. Short title.

25 This subtitle may be cited as the "Age-in-Place and Equitable Senior-Citizen Real
26 Property and Relief Payment Plan Act of 2013".

1 Sec. 8012. Section 47-2763 of the District of Columbia Official Code is amended to read
2 as follows:

3 "§ 47-2763. Enforcement.

4 "Any feepayer who fails to file a return or pay the ballpark fee due, as required by
5 § 47-2762, shall be subject to all collection, enforcement, and administrative provisions
6 applicable to unpaid taxes or fees, as provided in Chapter 18, Chapter 41, Chapter 42 (except
7 §§ 47-4211(b)(1)(B), 47-4214, and 47-4215), Chapter 43, and Chapter 44 of this title."

8 **SUBTITLE C. PAY-AS-YOU-GO CAPITAL ACCOUNT AND STREETCAR**
9 **FUNDING DEDICATION**

10 Sec. 8021. Short title.

11 This subtitle may be cited as the "Pay-as-you-go Capital Account and Streetcar Funding
12 Dedication Act of 2013".

13 Sec. 8022. Section 47-392.02(f) of the District of Columbia Official Code is amended as
14 follows:

15 (a) Paragraph (5)(A) is amended by striking the phrase "All funds" and inserting the
16 phrase "Beginning in the fiscal year following the completion of the capital construction of the
17 Streetcar Project, all funds" in its place.

18 (b) A new paragraph (6) is added to read as follows:

19 "(6) All funds in the Pay-as-you-go Capital Account shall be budgeted for the
20 Streetcar Project until the construction of the streetcar system is complete."

21 **SUBTITLE D. GREAT STREETS NEIGHBORHOOD RETAIL PRIORITY**
22 **AREA**

23 Sec. 8031. Short title.

24 This subtitle may be cited as the "Great Streets Neighborhood Retail Priority Area
25 Amendment Act of 2013".

26 Sec. 8032. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-
27 185; D.C. Official Code § 2-1217.71 *et seq.*), is amended as follows:

1 (a) Section 3 (D.C. Official Code § 2-1217.72) is amended by adding a new subsection
2 (c) to read as follows:

3 "(c) The maximum principal amount of bonds that may be issued with respect to the
4 Downtown Retail Priority Area is limited to the amount of bonds issued before March 1, 2013."

5 (b) Section 4 (D.C. Official Code § 2-1217.73), is amended by adding new subsections
6 (f), (g), and (h) to read as follows:

7 "(f) There is established the Rhode Island Avenue, N.E., Retail Priority Area, shall
8 consist of the parcels, squares, and lots within the following area: Beginning at the intersection
9 of Fourth Street, N.E., and Franklin Street, N.E.; thence east on Franklin Street NE to 15th
10 Street, N.E.; thence north on 15th Street, N.E., to Girard Street, N.E.; thence east on Girard
11 Street, N.E., to 17th Street, N.E.; thence north on 17th Street, N.E., to Brentwood Road, N.E.;
12 thence northeast on Brentwood Road N.E., to 18th Street, N.E.; thence north on 18th Street,
13 N.E., to Irving Street, N.E.; thence east on Irving Street, N.E., to Rhode Island Avenue, N.E.;
14 thence north along the western boundary of the property at the northeast corner of 20th Street,
15 N.E., and Rhode Island Avenue, N.E., to its northwest corner; thence northeast along the rear
16 boundaries of all properties with frontage along the north side of Rhode Island Avenue, N.E., to
17 the northeast corner of the property at the northwest corner of Rhode Island Avenue, N.E., and
18 Eastern Avenue, N.E.; thence southeast along the eastern boundary of property at the corner of
19 Rhode Island Avenue, N.E., and Eastern Avenue, N.E., to its southeast corner; thence continuing
20 southeast to the southeast corner of the property at the southwest corner of Rhode Island Avenue,
21 N.E., and Eastern Avenue, N.E.; thence southwest along the rear boundaries of all properties
22 with frontage along the south side of Rhode Island Avenue, N.E., to Montana Avenue, N.E.;
23 thence southeast along Montana Avenue, N.E., to Downing Street, N.E.; thence southwest along
24 Downing Street, N.E., to Bryant Street, N.E.; thence west along Bryant Street, N.E., to 13th
25 Street, N.E.; thence southeast along 13th Street, N.E., to its end at W Street, N.E.; thence west
26 along a line extending W Street, N.E., west to the continuation of W Street, N.E., and continuing
27 west along W Street, N.E., to Brentwood Road, N.E.; thence southwest along Brentwood Road,

1 N.E., to its end at T Street, N.E.; thence southwest to the intersection of a line extending Fourth
2 Street, N.E., south and a line extending R Street, N.E., east; thence north along line extending
3 Fourth Street, N.E., to Fourth Street, N.E., and continuing north along Fourth Street, N.E., to the
4 point of beginning.

5 "(g) There is established the Bladensburg Road, N.E., Retail Priority Area, which
6 shall include parcels, squares, and lots within the following area: Beginning at the intersection of
7 Holbrook Street, N.E., and Mount Olivet Road, N.E.; thence east on Mount Olivet Road, N.E.,
8 to Bladensburg Road, N.E.; thence south on Bladensburg Road, N.E., to 17th Street, N.E.; thence
9 south on 17th Street, N.E., to H Street, N.E.; thence east on H Street, N.E., to 19th Street, N.E.;
10 thence south on 19th Street, N.E., to Benning Road, N.E.; thence west on Benning Road N.E.,
11 to H Street, N.E.; thence west on H Street, N.E., to Florida Avenue, N.E.; thence west on
12 Florida Avenue, N.E., to Holbrook Street, N.E.; thence north on Holbrook Street, N.E., to the
13 point of beginning."

14 "(h) North Capitol Street Retail Priority Area shall consist of the parcels, squares,
15 and lots within the following area: Beginning at the intersection of New York Avenue, N.W.,
16 and First Street, N.W.; thence north along First Street, N.W., to Florida Avenue, N.W.; thence
17 northwest along Florida Avenue, N.W., to Second Street, N.W.; thence north along Second
18 Street, N.W., to Rhode Island Avenue, N.W.; thence northeast along Rhode Island Avenue,
19 N.W., to First Street, N.W.; thence north along First Street, N.W., to Michigan Avenue, N.W.;
20 thence in a westerly direction along Michigan Avenue, N.W., to Park Place, N.W.; thence north
21 along Park Place, N.W., to Irving Street, N.W.; thence northeast along Irving Street, N.W., to
22 Kenyon Street, N.W.; thence west along Kenyon Street, N.W., to Park Place, N.W.; thence
23 north along Park Place, N.W., to Rock Creek Church Road, N.W.; thence northeast along Rock
24 Creek Church Road, N.W., to Harewood Road, N.W.; thence southeast along Harewood Road,
25 N.W., to North Capitol Street; thence south along North Capitol Street to Irving Street, N.E.;
26 thence east along Irving Street, N.E., to Michigan Avenue, N.E.; thence southwest along
27 Michigan Avenue N.E., to North Capitol Street; thence south along North Capitol Street to

1 Rhode Island Avenue, N.E.; thence northeast along Rhode Island Avenue, N.E., to Lincoln
2 Road, N.E.; thence south along Lincoln Road, N.E., to R Street, N.E.; thence east along R Street,
3 N.E., and continuing east along a line extending R Street, N.E., to the east to its intersection with
4 the WMATA railroad tracks; thence southwest along the WMATA railroad tracks to New York
5 Avenue, N.E.; thence southwest along New York Avenue, N.E., to New York Avenue, N.W.,
6 and continuing southwest along New York Avenue, N.W., to the point of beginning."

7 Sec. 8033. The Great Streets Neighborhood Retail Priority Areas Approval Resolution of
8 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is amended as follows:

9 (a) Section 2(4) is amended to read as follows:

10 "(4) Ward 4 Georgia Avenue Priority Area, consisting of the parcels, squares, and lots
11 within the area bounded by a line beginning at the intersection of the center line of Kenyon
12 Street, N.W., and Sherman Avenue, N.W.; continuing north along the center line of Sherman
13 Avenue, N.W., to the center line of New Hampshire Avenue, N.W.; continuing northeast along
14 the center line of New Hampshire Avenue, N.W., to the center line of Rock Creek Church Road,
15 N.W.; continuing north along the center line of Rock Creek Church Road, N.W., to the center
16 line of Spring Road, N.W.; continuing northwest along the center line of Spring Road, N.W., to
17 the center line of Kansas Avenue, N.W.; continuing northeast along the center line of Kansas
18 Avenue, N.W., to the western line of Georgia Avenue; continuing north along the western line of
19 Georgia Avenue, N.W., to the center line of Eastern Avenue, N.W.; continuing south along the
20 eastern line of Georgia Avenue, N.W., to the northern line of Kennedy Street, N.W.; continuing
21 east along the northern line of Kennedy Street, N.W. to the center line of Kansas Avenue, N.W.;
22 continuing southwest along the center line of Kansas Avenue, N.W., to the center line of Varnum
23 Street, N.W.; continuing east along the center line of Varnum Street, N.W., to the center line of
24 7th Street, N.W.; continuing south along the center line of 7th Street, N.W., until the point where
25 7th Street, N.W., becomes Warder Street, N.W.; continuing further south along the center line of
26 Warder Street, N.W., to the center line of Kenyon Avenue, N.W.; and continuing west along the
27 center line of Kenyon Avenue, N.W., to the beginning point;"

1 (b) Section 3 is amended by adding a new subsection (d) to read as follows:

2 "(d) The maximum principal amount of bonds that may be issued is limited to the amount
3 of bonds issued before March 1, 2013."

4 **SUBTITLE E .WATERFRONT PARK AT THE YARDS**

5 Sec. 8041. Short title.

6 This subtitle may be cited as the "Waterfront Park at the Yards Amendment Act of 2013".

7 Sec. 8042. The Waterfront Park at the Yards Act of 2009, effective March 3, 2010 (D.C.
8 Law 18-105; D.C. Official Code 10-1801 *et seq.*), is amended as follows:

9 (a) Section 2 (D.C. Official Code § 10-801) is amended by adding a new paragraph (2A)
10 to read as follows:

11 "(2A)(A) "Cost-of-living adjustment" means an amount, for any calendar
12 year, equal to the maximum dollar amount set forth in section 5(a)(1) multiplied by the
13 difference between the CPI for the preceding calendar year and the CPI for the calendar year
14 beginning January 1, 2011, divided by the CPI for the calendar year beginning January 1, 2011.

15 "(B) For the purposes of this paragraph, the CPI for any calendar
16 year is the average of the Consumer Price Index for the Washington-Baltimore Metropolitan
17 Statistical Area for all-urban consumers published by the Department of Labor, or any successor
18 index, as of the close of the 12-month period ending on July 31 of such calendar year."

19 (b) Section 4(a) (D.C. Official Code § 10-1803(a)) is amended to read as follows:

20 "(a) There is established as a special fund the Waterfront Park Maintenance Fund
21 ("Fund"), which shall be used solely to pay the expenses of maintaining, operating, and
22 improving the Waterfront Park and the expenses of events held in the Waterfront Park. The Chief
23 Financial Officer shall deposit into the Fund the sales tax revenues attributable to the Waterfront
24 Park Retail Area and revenue from the Waterfront Park Special Assessment. All monies in the
25 Fund shall be paid by the Chief Financial Officer to the Capital Riverfront Business
26 Improvement District pursuant to the terms set forth in the Maintenance Agreement. The
27 payments from the Fund shall be an authorized expenditure by the District."

1 (c) Section 5 (D.C. Official Code § 10-1804) is amended as follows:

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

3 (2) The newly designated subsection (a) is amended as follows:

4 (A) Paragraph (1) is amended by striking the figure "\$380,000" and
5 inserting the phrase "\$380,000--or the amount of sales and use tax revenue attributable to the
6 Waterfront Park Retail Area--if less than \$380,000" in its place.

7 (B) Paragraph (2) is amended by striking the phrase "by the increase in the
8 CPI during the period from July 1, 2012, to the beginning of that 12-month period" and inserting
9 the phrase "annually by the cost-of-living adjustment (if the adjustment does not result in a
10 multiple of \$50, rounded to the next lowest multiple of \$50)--or the amount of sales and use tax
11 revenue attributable to the Waterfront Park Retail Area--if less" in its place.

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

13 "(b) All sales and use tax revenue and revenue from the Waterfront Park Special
14 Assessment received by the Chief Financial Officer by the 20th day of a month shall be
15 deposited into the Fund by the Chief Financial Officer by the last business day of the following
16 month."

17 (d) Section 6(b)(3) (D.C. Official Code § 10-1805(b)(3)) is amended to read as follows:

18 "(3) The District is authorized to transfer the income transferred to the District
19 pursuant to paragraph (2) of this subsection to the Capitol Riverfront Business Improvement
20 District, performing services under the Maintenance Agreement."

21 Sec. 8043. Section 47-895.23 of the District of Columbia Official Code is amended as
22 follows:

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

24 "(a-1) The Deputy Mayor for Planning and Economic Development shall timely notify
25 the Chief Financial Officer of every property that is subject to the levy of the special assessment;
26 which notice shall include:

27 "(1) The applicable square and lot;

1 "(2) The date the property became subject to the special assessment;

2 "(3) Any days of proration;

3 "(4) The gross square foot area of the property; and

4 "(5) The corresponding amount of the special assessment.".

5 (b) Subsection (h) is amended by striking the phrase "year of the contribution period" and
6 inserting the phrase "tax year before such notice" in its place.

7 (c) Subsection (i) is amended to read as follows:

8 "(i) Special assessments shall accrue based on the tax year and shall be billed in arrears
9 semi-annually in the same manner, under the same conditions and with the same due dates, and
10 subject to the same interest and penalty provisions for the non-payment thereof as provided in §
11 47-811 for the billing of real property tax.".

12 (d) Subsection (k) is amended by striking the phrase "this title" and inserting the phrase
13 "this title, nor shall a lien be required to be filed therefore for sale in subsequent tax sales" in its
14 place.

15 Sec. 8044. Applicability.

16 This subtitle shall apply as of March 3, 2010.

17 **SUBTITLE F. CAPITAL PROJECT RESCISSION.**

18 Sec. 8051. Short title.

19 This subtitle may be cited as the " Capital Project Rescission Act of 2013".

20 Sec. 8052. (a) The Chief Financial Officer shall rescind \$750,000 of PAYGO allotment
21 and budget authority from capital project PL110C "MPD Building Renovations/Construction"
22 under the Metropolitan Police Department, in fiscal year 2013.

23 (b) The Chief Financial Officer shall recognize the rescinded amount identified in
24 subsection (a) of this section as fiscal year 2014 local funds revenue.

25 Sec. 8053. The Chief Financial Officer shall rescind \$386,108.02 of fiscal year 2013
26 PAYGO allotment and budget authority from capital project AW707C "Boathouse Row"

1 allocate \$386,108.02 in fiscal year 2013 PAYGO allotment and budget authority to capital
2 project EB008C "New Communities".

3 **TITLE IX. COUNCIL REPORTING REQUIREMENTS**

4 Sec. 9011. Short title.

5 This subtitle may be cited as the "Council Reporting Requirements Act of 2013".

6 Sec. 9012. For purposes of this subtitle, unless otherwise provided, reports made to the
7 Council shall be made to the Secretary to the Council.

8 **PUBLIC EDUCATION**

9 Sec. 9013. District of Columbia Public Schools reporting requirements.

10 By October 1, 2013, the District of Columbia Public Schools shall:

11 (1) Submit to the Council recommendations for improving transparency of the
12 DCPS budget, including an implementation plan for establishing a single budgeting system for
13 the agency; and

14 (2) Submit to the Council and make publically available on its website, the final
15 budgets for each school along with a list of actual staff positions filled for 2013-2014 school
16 year.

17 (3) Submit a report to the Council on its work with the Department of General
18 Services to analyze DCPS energy usage and develop a mechanism that allows the agency to
19 reinvest its savings from consolidations and fixed costs into its operational needs.

20 Sec. 9014. District of Columbia Public Library requirements.

21 By October 1, 2013, the District of Columbia Public Library shall report on the planning
22 for the renovation of the Martin Luther King Jr. Central Library. The report shall include at a
23 minimum:

24 (1) A detailed update on design plans;

25 (2) A description of the project's financing including any and all public-private
26 partnerships or use of financing other than District capital funds;

1 (3) A detailed timeline on the steps that will be taken leading up to the start of
2 construction in FY17 and through to completion in FY18; and

3 (4) A description of the project's community and stakeholder engagement plan
4 with an explanation of how the project will reflect the needs and perspectives of District
5 residents.

6 Sec. 9015. Office of the State Superintendent of Education reporting requirements.

7 (a) By October 1, 2013, the Office of the State Superintendent of Education (OSSE) shall
8 submit to the Council the following:

9 (1) A report on efforts to implement state-level standards addressing special
10 education transportation services, and the agency's efforts to ensure alignment of services with
11 student needs and reduce unnecessary and duplicative costs. The report shall include at a
12 minimum:

13 (A) A schedule and plan for training all LEAs and relevant IEP Team
14 participants on the new standards;

15 (B) An update on the agency's work to determine fidelity to the
16 established standards, including criteria for eligibility; and

17 (C) Recommendations for how the District could enhance transportation
18 services and reduce costs, including contracting with outside vendors to provide transportation at
19 a reduced cost for students attending non-public schools outside of the District of Columbia,
20 shared routes and staggered school start times.

21 (2) A report on the status of implementing the Partnership for Assessment of
22 Readiness of College and Careers (PARCC) Assessment in public schools. The report shall
23 include at a minimum:

24 (A) Barriers to implementation;

25 (B) Program and technological enhancements needed to administer the
26 new assessment; and

1 (C) Changes in test security protocols to accommodate the PARCC
2 Assessment;

3 (3) A report on the development of a uniform school report card for all public
4 schools in the District of Columbia. The report shall include at a minimum:

5 (A) A recommended system of uniform quality measurement that can be
6 used to compare schools across public school sectors;

7 (B) A timetable for implementation; and,

8 (C) A plan to educate and promote the universal report card to parents and
9 students.

10 (4) A recommendation on program enhancements that will increase the frequency
11 of residency fraud detection. The report shall include at a minimum:

12 (A) The rationale for the recommendation, including data and information
13 used to support the decision; and,

14 (B) If advisable, a comprehensive plan, with a timetable, to implement
15 residency fraud prevention program enhancements.

16 (5) A report detailing the development of the Student Information System. The
17 report shall include at a minimum:

18 (A) A detailed description on the Student Information System;

19 (B) A timetable for development and estimated launch date;

20 (C) Feedback on the SIS from public LEAs and the PCSB;

21 (D) A recommendation for a data governance policy; and,

22 (E) How the SIS will interact with existing Student Information Systems;

23 and

24 (6) A report on recommendations to implement a single statewide enrollment
25 methodology for purposes of determining student enrollment and budget projections for DCPS
26 and public charter schools.

1 (b) In addition to the reporting requirements listed above, OSSE shall provide to the
2 Council:

3 (1) A biannual report issued no later than January 15, 2014 and July 1, 2014 on
4 Special Education Transportation expenditures during FY14, along with a projected spending
5 plan for the remainder of the fiscal year;

6 (2) A biannual report issued no later than January 15, 2014 and July 1, 2014 on
7 non-public tuition expenditures during FY14, including the name of each vendor receiving a
8 payment, along with a projected spending plan for the remainder of the fiscal year.

9 (3) Quarterly reports, beginning October 1, 2013 on all non-public placements. At
10 a minimum such reports shall include the following information for each student in a non-public
11 placement:

12 (A) The student's level of need;

13 (B) Justification for placement into a non-public facility;

14 (C) The date the student was originally placed into a nonpublic facility;

15 and,

16 (D) The name of the local education agency that was unable to meet the
17 student's individual level of need;

18 (4) Quarterly reports, beginning October 1, 2013, on all non-public students that
19 have returned to a District local education agency (LEA). At a minimum such reports shall
20 include the following information for each student returning from a non-public placement:

21 (A) The student's level of need;

22 (B) Justification for return from a non-public facility;

23 (C) The date the student was originally placed into a nonpublic facility and
24 date they returned to a District LEA;

25 (D) The name of the receiving LEA; and

26 (E) A statement explaining how the receiving LEA will be able to meet
27 the educational needs of the returning student.

1 Sec. 9016. State Board of Education reporting requirements.

2 By December 1, 2013, the State Board of Education shall submit to the Council an
3 implementation plan for the re-establishment of the Office of the Ombudsman. Such a report is
4 necessary to ensure that the Office of the Ombudsman will be fully operational by January 1,
5 2014.

6 Sec. 9017. Office of the Deputy Mayor for Education reporting requirements.

7 (a) By October 1, 2013, the Office of the Deputy Mayor for Education shall submit to the
8 Council the following:

9 (1) A report on efforts to re-engage disconnected youth, including the
10 development, funding and staffing needed during FY14 for the planned Re-Engagement Center;

11 (2) A report on the distribution and utilization of transit subsidies, including an
12 FY14 spending plan;

13 (3) A report on continued implementation of the "South Capitol Street Memorial
14 Act of 2012," including an FY14 spending plan;

15 (4) A report on FY14 implementation of the "Attendance Accountability
16 Amendment Act of 2013";

17 (5) A report on implementation of the capital grant of \$6,000,000 for construction
18 of a language immersion public charter school serving middle and high school aged students.

19 The report shall include at a minimum:

20 (A) The name of the grantee and a detailed description of the capital
21 project to be supported by the grant;

22 (B) Timeline for completion of the capital project; and

23 (C) An analysis of need of capital funding for charter schools with
24 recommendations on expanding such capital grant funding for charter schools; and

25 (D) A report detailing the supplemental services and funding provided to
26 DCPS outside of the UPSFF, including:

27 (i) The amount of funds for each service and expenditure; and

1 (ii) The criteria on which these services and related resources are
2 allocated and a specific plan for how the District intends to allocate these resources to all schools
3 in order to achieve equity and equal access to resources per D.C. Official Code § 38-2913.

4 (b) By January 1, 2014, the Office of the Deputy Mayor for Education shall submit to the
5 Council a recommendation on expanding compulsory attendance requirements to students
6 attending Pre-K 3 and Pre-K.

7 **ECONOMIC DEVELOPMENT AND REGULATION**

8 Sec. 9018. New Communities Initiative reporting.

9 Section 203 of the Housing Production Trust Fund Act of 1988, effective October 20,
10 2005 (D.C. Law 16-33; D.C. Official Code § 42-2812.03), is amended by adding a new
11 subsection (e) to read as follows:

12 "(e) On an annual basis, the Office of the Deputy Mayor Office for Planning and
13 Economic Development and the District of Columbia Housing Authority shall submit a written
14 report to the Chairperson of the Committee on Economic Development for the District of
15 Columbia, which shall address the following:

16 "(1) An overall summary of the progress of the New Communities
17 Initiative, including:

18 "(A) Overall spending to date;

19 "(B) Projected future costs;

20 "(C) Completion status;

21 "(D) Total number of units built and income mix by Area Median
22 Income; and

23 "(E) Estimated completion date.

24 "(2) A report on each New Communities Initiative site building, including:

25 "(A) Spending on the site to date;

26 "(B) Projected future costs;

27 "(C) Financing sources;

- 1 "(D) Updates on plans for new buildings, if any;
- 2 "(E) Income mix by Area Median Income;
- 3 "(F) Number of units in each building;
- 4 "(G) Completion status of each building; and
- 5 "(H) Estimated completion date of construction.

6 "(3) A report on each existing New Communities Initiative site, including:

- 7 "(A) Plans;
- 8 "(B) Completion status;
- 9 "(C) Spending on building to date;
- 10 "(D) Projected future costs;
- 11 "(E) Financing sources;
- 12 "(F) Estimated date of construction completion;
- 13 "(G) Number of residents that have been relocated;
- 14 "(H) Number of residents that have returned to site;
- 15 "(I) Number of units on original site; and
- 16 "(J) Income mix by Area Median Income.

17 "(4) A report on amenities, including:

- 18 "(A) Plans for amenities;
- 19 "(B) Spending on amenities to date;
- 20 "(C) Projected future costs; and
- 21 "(D) Financing sources.

22 "(5) A report on human capital, including:

- 23 "(A) Number of residents served;
- 24 "(B) Services offered;
- 25 "(C) Spending on human capital to date; and
- 26 "(D) Projected future costs."

27 Sec. 9019. D.C. Water and Sewer Authority Report.

1 (a) With respect to the proposed relocation and development of the District-owned
2 property at 125 O Street S.E., Washington, D.C. 20003 ("DC WASA Site"), the Mayor shall, by
3 December 31, 2013, submit to the Council a report to include progress related to the following
4 activities:

5 (1) Identification of a relocation site;

6 (2) Outreach to communities adjacent to a proposed relocation site;

7 (3) Environmental remediation of the DC WASA Site and the relocation site;

8 (4) Estimated costs for environmental remediation;

9 (5) Entitlements, permits, and approvals necessary to prepare the DC WASA Site
10 and the relocation site; and

11 (6) Surplus designation and land disposition agreements;

12 (b) The report required by subsection (a) shall also include a narrative description of the
13 need for additional funding, if any, during fiscal year 2014
14

15 **HEALTH AND HUMAN SERVICES**

16 Sec. 9020. Report on financing options for United Medical Center.

17 By October 1, 2013, the Mayor shall prepare a report for public review, in consultation
18 with the Office of the Chief Financial Officer and Huron Healthcare that analyzes public and
19 private financing options that will generate a minimum of an additional \$60 million for the
20 construction of a new hospital on the grounds of United Medical Center. All financing packages
21 shall be in addition to the \$20 million of existing, proposed District capital funds for planning
22 and site development for the new hospital.

23 Sec. 9021. Department of Behavioral Health reporting requirements.

24 By October 1, 2013, the Department of Behavioral Health ("DBH") shall submit to the
25 Council:

26 (1) A report on:

1 (A) The efforts made to ensure that children receive behavioral health
2 screenings from pediatricians at well-child and other pediatric visits;

3 (B) The percentage of children receiving such screens;

4 (C) The screening tools currently being utilized; and

5 (D) How pediatricians are reimbursed for these screens:

6 (2) If screening rates are not satisfactory, a plan for how to increase them during
7 the remainder of fiscal year 2014.

8 Sec. 9022. Department of Health Care Finance reporting requirements.

9 (a) By October 1, 2013, the Department of Health Care Finance ("DHCF") shall submit
10 to the Council a report on:

11 (1) Strategies for auditing the DC HealthCare Alliance ("Alliance") recertification
12 process with the Department of Human Services ("DHS"), and updated projected enrollment for
13 fiscal year 2014;

14 (2) Potential solutions to the long delays in the Alliance eligibility process that
15 discourage eligible beneficiaries from recertifying and enrolling;

16 (3) The status of the new Day Health program, including all of the following:

17 (i) Status of the State Plan Amendment approval;

18 (ii) The number of and name of providers that have been certified to
19 receive reimbursement under the new Day Health program;

20 (iii) The number and name of providers/beneficiaries transitioned
21 to/offering services under another provider type and no longer participating in the Day Health
22 program;

23 (iv) Explanation of the agency's reimbursement methodology.

24 (4) The feasibility of a Medicaid Buy-In program for people with disabilities;

25 (5) The feasibility of reimbursing nursing home providers for mental health
26 services;

27 (6) The feasibility of increasing reimbursement rates for home health aides;

1 (7) The distribution of cost settlements in fiscal year 2013 and the status of
2 transitioning hospitals from cost-based reporting to prospective reporting;

3 (8) An accounting of the Nursing Home Quality of Care Fund, to date, and any
4 plans for future expenditures in fiscal year 2014; and

5 (9) The status of the Elderly and Persons with Disabilities ("EPD") Waiver
6 waitlist, including all of the following:

7 (i) The number of people currently enrolled in the EPD waiver;

8 (ii) The number of people currently on the waitlist;

9 (iii) The number of people who were offered a slot in fiscal year 2013;

10 (iv) The number of people who lost the benefit because they did not timely
11 recertify; and

12 (v) A strategy to address the loss of benefits for institutionalized persons.

13 (10) The details of how the \$20 million of existing, proposed District capital
14 funds for planning and site development for the Not-For-Profit Hospital Corporation will be
15 spent before the release of those funds.

16 (b) Starting on October 1, 2013, and ending on September 31, 2014, DHCF shall submit
17 to the Council a quarterly report:

18 (1) Assessing the performance of the Long Term Care Contractor including data
19 on its reduction of fraud and abuse of the Personal Care Aid ("PCA") benefit;

20 (2) Reflecting PCA benefit utilization and enrollment; and

21 (3) Assessing the performance of each Managed Care Organization ("MCO"),
22 which shall include, at a minimum, the following information:

23 (A) A listing of the provider network for each MCO identifying each
24 provider by name;

25 (B) The stratification of MCO membership, to date, that shall reflect the
26 number of members initially auto-assigned to each MCO by July 1, 2013, and the number of

1 newly eligible beneficiaries auto-assigned to each MCO that quarter, along with the total number
2 of members enrolled in each MCO;

3 (C) An assessment of each MCO's compliance with each contractual
4 network adequacy requirement and performance objective, including a description of any
5 threatened or assessed corrective action plans or penalties; and

6 (D) Early and Periodic Screening, Diagnostic, and Treatment ("EPSDT")
7 data for each MCO, including the following:

8 (i) Number of EPSDT providers in each MCO network;

9 (ii) Number of screens and percentage of children screened per
10 quarter;

11 (iii) Number of mental health screens and percentage of children
12 receiving mental health screens per quarter; and

13 (iv) Plans to address unsatisfactory screening rates in the next
14 quarter.

15 Sec. 9023. Department of Health reporting requirements.

16 By October 1, 2013, the Department of Health shall submit to the Council:

17 (1) A report, providing an update on the Medical Marijuana Program, including:

18 (A) The number of people enrolled and the wards in which they live;

19 (B) A breakdown the enrollees illnesses;

20 (C) The adequacy of the number of cultivation centers and dispensaries;

21 (D) Whether the number of cultivation centers and/or the ceiling of plants
22 allowed to be grown is adequate or needs to be lifted;

23 (E) Whether the number of dispensaries need to be increased;

24 (F) Whether clients of the program have encountered problems with law
25 enforcement officers;

26 (G) Whether any adverse impacts or problems have arisen in
27 neighborhoods where the cultivation centers and/or dispensaries are located; and

- 1 (H) Whether any adjustment in the budget is required for the program.
- 2 (2) A report on the Housing Opportunities for People with AIDS ("HOPWA")
- 3 program, including:
- 4 (A) The number of people enrolled and the wards in which they live;
- 5 (B) The length of time each individual has lived in HOPWA housing;
- 6 (C) The number of residents who are employed and their salaries;
- 7 (D) The number of residents who are viral suppressed; and
- 8 (E) A detailed explanation and description of the recertification process.
- 9 (3) A report on the Senior HIV/AIDS Program, including:
- 10 (A) The total number of peer educators trained;
- 11 (B) The number of presentations that have occurred since the program's
- 12 inception;
- 13 (C) The locations of presentations identified, by ward;
- 14 (D) The number of attendees at each training;
- 15 (E) A review of presentation evaluations;
- 16 (F) The number of the corps of trainers;
- 17 (G) Whether any trainers have been replaced and reasons, if any, for
- 18 replacement;
- 19 (H) The amount of stipends, if any, provided to trainers;
- 20 (I) The number of people currently being trained to be peer educators; and
- 21 (J) An itinerary of upcoming trainings.
- 22 (4) A report on the HIV/AIDS education requirement for physician/nurse
- 23 licensure recertification, including:
- 24 (A) A detailed plan of the commencement of the program; and
- 25 (B) Whether physicians, nurses, physician assistants, nurse assistants are
- 26 required to attend trainings in person or via the Internet.
- 27 (5) A report on the hiring of new food inspectors, including:

- 1 (A) The foreign-language speaking proficiency of each new inspector;
2 (B) Copies of the position announcements;
3 (C) A list of the languages spoken by each new hire; and
4 (D) Whether the Health Professionals Loan Repayment Program will pay
5 for current or new staff to learn foreign languages.

6 Sec. 9024. Not-For-Profit Hospital Corporation reporting requirements.

7 By October 1, 2013, the Not-For-Profit Hospital Corporation ("NFPHC") shall submit to
8 the Council a bi-monthly report on the progress made by Huron Healthcare at the NFPHC,
9 including, but not limited to:

- 10 (1) Milestones completed;
11 (2) A progress report on scheduled work and the expected completion date of
12 such work;
13 (3) Unexpected issues that have arose and plans to address those issues;
14 (4) An update on issues that were scheduled to be completed before the due date
15 of the next report, but were not, and the plan to complete them; and
16 (5) Answers to any documented questions sent over by the Council to the NFPHC
17 Board of Directors.

18 Sec. 9025. Deputy Mayor for Health and Human Services reporting requirements.

19 By October 1, 2013, the Office of the Deputy Mayor for Health and Human Services
20 ("DMHHS") shall submit to the Council a report providing a detailed plan on the expenditure of
21 the \$1,000,000 of truancy prevention funds, including:

- 22 (1) The agencies and/or organizations ("provider") identified to provide the
23 services;
24 (2) The criteria used to select the provider;
25 (3) The specific services to be provided by the provider;
26 (4) The benchmarks to be achieved for services;
27 (5) The timelines for completion of these services;

1 (6) The evaluation plans to be employed for each provider to measure the
2 effectiveness of their work;

3 (7) The corrective action plans, should the work not meet satisfactory standards;

4 (8) The geographic location of each provider by ward;

5 (9) The demographic served by the respective provider; and

6 (10) The submission of quarterly reports thereafter on the Truancy Prevention
7 program.

8 Sec. 9026. Cost per DYRS-Involved Youth Act of 2013.

9 (a) The Department of Youth Rehabilitation Services ("DYRS") shall conduct an analysis
10 of the per-youth cost for DYRS-involved youth during the 2012 calendar year.

11 (b) DYRS shall identify 20 random DYRS-involved youth to analyze, as follows:

12 (1) Eight youth shall have Structure for Decision Making ("SDM") scores of High
13 to Medium High.

14 (2) Seven youth shall have SDM scores of Medium.

15 (3) Five youth shall have SDM scores of Low.

16 (c) For each of the youth identified in subsection (b) of this section, DYRS shall analyze
17 the costs of serving the youth in calendar year 2012, including the following:

18 (1) Number of days in secure placement during the year and cost per day of
19 secure placement;

20 (2) Number of days in non-secure placement during the year and cost per day of
21 non-secure placement;

22 (3) Number of days linked to D.C. YouthLink service providers and the cost per
23 service;

24 (4) Services received through other District agencies or contracts with other
25 District agencies and the cost per service;

26 (5) Number of days in abscondence and cost per day related to abscondence; and

1 (6) Number of days in custody in adult facilities in the District or another
2 jurisdiction and cost per day related to adult custody.

3 (d) The analysis shall include an individual narrative report of services provided to each
4 identified youth during the 2012 calendar year, identifying each youth by a unique identifier,
5 SDM score, month and year of commitment, month and year of expected end of commitment,
6 and annualized costs for the youth.

7 (e) DYRS shall submit the analysis to the Committee on Human Services no later than
8 December 1, 2013.

9 **TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

10 Sec. 9027. Circulator expansion planning reporting.

11 On or before January 31, 2014, the District Department of Transportation and DC
12 Surface Transit, Inc. shall transmit a report to the Secretary of the Council on expanding the
13 Circulator. The report shall include:

14 (1) A route and plan to begin operating a new Circulator line along the National
15 Mall in FY 2015;

16 (2) A set of routes and plans to extend the following existing Circulator routes in
17 FY 2015:

18 (A) Rosslyn / Georgetown / Dupont line to Adams Morgan, U Street, and
19 Shaw;

20 (B) Union Station / Georgetown line to the National Cathedral; and

21 (C) Union Station / Navy Yard line to the Southwest Waterfront.

22 (3) A set of routes and plans to extend the Skyland route to Camp Simms and
23 other extensions in Wards 4, 5, 7, and 8;

24 (4) An analysis of other ways to fund Circulator extension;

25 (5) If fares are to be increased, the appropriate effective date for doing so;

26 (6) Recommendations for improving Circulator operations, including improving
27 route efficiency, passenger satisfaction, and the speed of fare collection; and

1 (7) A plan for marketing the Circulator expansion and any fare
2 changes.

3 Sec. 9028. Waste and Recycling Reporting.

4 (a) On or before December 31, 2013, the Department of Public Works ("DPW") and the
5 Department of General Services shall transmit a report to the Secretary of the Council on
6 recycling by District government agencies. The report shall include:

7 (1) A list of each District agency, including independent agencies and
8 instrumentalities, an indication of whether the agency complies with section 8 of the District of
9 Columbia Solid Waste Management and Multi-Material Recycling Act of 1988, effective March
10 16, 1989 (D.C. Law 7-226; D.C. Code § 8-1007) ("Act"), by separating and recycling each item
11 required by the Act at its offices and facilities; and

12 (2) For agencies that are not recycling the items required by the Act, a detailed
13 plan and timeline for complying with the Act and recycling each required item at their sites.

14 (b) On or before September 30, 2014, DPW shall transmit a report to the Secretary of the
15 Council regarding the District residences from which it collects waste and recycling twice
16 weekly. The report shall include:

17 (1) A list of neighborhoods currently receiving twice weekly collections;

18 (2) The annual cost of providing twice weekly collections to an average residence;

19 (3) The annual cost of providing once weekly collections to an average residence;

20 (4) An analysis of whether the size of streets, alleys, yards, and containers, and
21 other relevant factors could allow some residences currently receiving twice weekly collections
22 to receive once weekly collections; and

23 (5) The potential cost savings that would result if residences identified in
24 paragraph (4) of this section currently receiving twice weekly collections were to receive
25 collection once a week.

1 **TITLE X. APPLICABILITY, FISCAL IMPACT, AND EFFECTIVE DATE**

2 Sec. 10001. Applicability.

3 Except as otherwise provided, this act shall apply as of October 1, 2013.

4 Sec. 10002. Fiscal impact statement.

5 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
6 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
7 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

8 Sec. 10003. Effective date.

9 This act shall take effect following approval by the Mayor (or in the event of veto by the
10 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
11 provided in 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973
12 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia
13 Register.