

A BILL

23-760

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

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

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

126 **SUBTITLE A. ARCHIVES ADVISORY GROUP**

127 Sec. 1001. Short title.

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

129 Sec. 1002. Archives Advisory Group.

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

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

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

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

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

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

147 **SUBTITLE B. AUDIT ENGAGEMENT FUND**

148 Sec. 1011. Short title.

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

150 Sec. 1012. Audit Engagement Fund.

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

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

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

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

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

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

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

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

166 Sec. 1031. Short title.

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

169 Sec. 1032. Definitions.

170 For the purposes of this subtitle, the term:

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

174 (2) “Covered agency” means an agency, office, or instrumentality of the District
175 government and independent agencies, as defined in section 301(13) of the CMPA, effective
176 March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(13)), except that the term
177 “covered agency” does not include the District of Columbia Housing Authority, District of
178 Columbia Housing Finance Agency, District of Columbia Water and Sewer Authority, Not-for-
179 Profit Hospital Corporation, the Board of Trustees of the University of the District of Columbia,
180 or the Washington Convention and Sports Authority.

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

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

185 (5) “Personnel authority” shall have the same meaning as set forth in section
186 301(14) of the CMPA.

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

188 Notwithstanding any other provision of law, rule, or collective bargaining agreement, an
189 employee of a covered agency shall not receive a cost-of-living adjustment during the period
190 from October 1, 2020, through September 30, 2024.

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

192 Notwithstanding any other provision of law, collective bargaining agreement,
193 memorandum of understanding, side letter, or settlement, whether specifically outlined or
194 incorporated by reference, all Fiscal Year 2020 salary schedules of covered agencies shall be
195 maintained during Fiscal Years 2021, 2022, 2023, and 2024 and no increase in salary or benefits,
196 including increases in negotiated salary, wage, and benefits provisions and negotiated salary
197 schedules, shall be provided in Fiscal Years 2021, 2022, 2023, or 2024 from the Fiscal Year
198 2020 salary and benefits levels of covered agencies.

199 Sec. 1035. Rules.

200 To the extent authorized by the CMPA or other applicable law to issue rules to administer
201 the salary or benefits program of a covered agency, the personnel authority for a covered agency
202 may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved

203 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), issue rules to implement
204 this subtitle.

205 Sec. 1036. Revised revenue contingency.

206 Notwithstanding any other provision of law, the amount of local recurring revenues
207 included in the Chief Financial Officer’s revenue estimates for Fiscal Year 2021 issued prior to
208 January 1, 2021 that exceeds the April 24, 2020 revenue estimate incorporated in the approved
209 budget and financial plan for Fiscal Year 2021 shall be deposited in the Workforce Investment
210 Account to be available to satisfy the Fiscal Year 2021 negotiated salary adjustments set aside by
211 section 1033 for employees in the bargaining units covered by the collective bargaining
212 agreements approved pursuant to the Interest Arbitration Award and Collective Bargaining
213 Agreement between the District of Columbia Public Schools and the Office of the State
214 Superintendent of Education and the American Federation of State, County and Municipal
215 Employees, District Council 20, Local 2921, AFL-CIO Emergency Approval Resolution of
216 2020, effective March 3, 2020 (Res. 23-374; 67 DCR 2735), and the Compensation Collective
217 Bargaining Agreement between the District of Columbia Government and Compensation Units 1
218 and 2, FY 2018-FY2021, Approval Resolution of 2018, deemed approved February 23, 2018
219 (P.R. 22-738; 65 DCR 872).

220 Sec. 1037. Applicability.

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

222 **SUBTITLE D. ADVISORY NEIGHBORHOOD COMMISSIONS TECHNICAL**
223 **SUPPORT AND ASSISTANCE**

224 Sec. 1041. Short title.

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

227 Sec. 1042. The Advisory Neighborhood Commissions Act of 1975, effective March 26,
228 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) is amended as follows:

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

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

234 “Sec. 16a. Advisory Neighborhood Commissions Technical Support and Assistance
235 Fund.

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

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

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

241 “(2) Any amounts allocated to Advisory Neighborhood Commissions pursuant to
242 Section 738(e) of the District of Columbia Self-Government and Governmental Reorganization
243 Act, approved December 24, 1973 (87 Stat. 824; D.C. Code § 1-251(e)), that are forfeited or
244 unclaimed by the last day of the fiscal year pursuant to section 16(d)(3) or section 16(j)(3) of the
245 Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58;
246 D.C. Official Code § 1309.13).

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

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

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

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

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

261 “(5) Providing or procuring printing services for Advisory Neighborhood
262 Commissions; and

263 “(6) Providing or procuring website assistance for Advisory Neighborhood
264 Commissions.

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

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

270 Sec. 1043. Applicability.

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

272 **SUBTITLE E. RENEWABLE ENERGY FUTURE**

273 Sec. 1051. Short title.

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

275 Sec. 1052. The Department of General Services Establishment Act of 2011 (D.C. Law
276 19-21; D.C. Official Code § 10-551.01, *et seq.*), is amended as follows:

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

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

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

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

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

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

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

288 “(c-1) The Department shall produce and publish on its website an analysis of the
289 feasibility of initiating or expanding renewable energy generation, including an analysis of the

290 potential for capturing solar or other forms of renewable energy at each District-owned property
291 under the control of the Mayor on a rolling basis, with each property re-analyzed no less than
292 once every 10 years.”.

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

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

295 “(a) Subject to the availability of funding, the Department shall initiate or expand
296 renewable energy generation at every District-owned property under the control of the Mayor
297 where doing so is found feasible by the analysis required by subsection (c-1) of section 1026 of
298 this act.

299 “(b) Notwithstanding the Small and Certified Business Enterprise Development and
300 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
301 218.01 *et seq.*) (“CBE Act”), or any other provision of District law or regulation, any contract
302 entered into to implement this section, absent a waiver pursuant to section 2351 of the CBE Act,
303 shall:

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

308 “(2) Require that at least 50% of the dollar volume of the contract shall be
309 subcontracted to qualified small business enterprise; provided, that if there are insufficient
310 qualified small business enterprises to meet the requirement and best efforts are made to ensure
311 that qualified small business enterprises are significant participants in the overall subcontracting

312 work, then the subcontracting requirement may be satisfied by subcontracting 50% of the dollar
313 volume to any qualified certified business enterprise.”.

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

315 Sec. 1061. Short title.

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

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

321 **SUBTITLE G. ACCESS TO JOBS**

322 Sec. 1071. Short title.

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

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

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

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

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

334 “(II) Demonstrate that potential employees in the program
335 have opportunities for advancement within the eligible employer’s organization or industry;
336 “(III) Hire one or more eligible individuals who meet the
337 requirements of sub-subparagraph (ii) of this subparagraph;
338 “(IV) Be located within the District;
339 “(V) Pay the eligible individual at least the minimum wage
340 required pursuant to the Minimum Wage Act Revision Act of 1992, effective March 25, 1993
341 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*);
342 “(VI) Pay the eligible individual for a minimum of 20
343 hours per week for a minimum of 8 weeks; and
344 “(VII) Complete an application and provide documentation
345 as required by the Office on Returning Citizen Affairs to substantiate each requirement of the
346 program for the participating eligible employer and for each eligible individual employed.
347 “(ii) For an eligible employer to receive a grant for the
348 employment of an eligible individual, the eligible individual must:
349 “(I) Have been previously incarcerated;
350 “(II) Be a resident of the District;
351 “(III) Have completed a workforce development and life
352 skills program within the District; and
353 “(IV) Have been unemployed for a period of at least 1
354 month prior to being hired by the participating eligible employer.
355 “(iii) Grants offered through the pilot program shall be disbursed:

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

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

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

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

366 “(II) For the second year that an eligible individual is
367 employed by the same participating eligible employer, 80% of the minimum wage not to exceed
368 40 hours per week and 2,080 hours per year for each eligible individual hired under the pilot
369 program.

370 “(v) The total amount of funding expended through the pilot
371 program shall not exceed the amount budgeted for the program; except that:

372 “(I) Eligible employers shall receive funding in the order
373 that they successfully complete the application required pursuant to subparagraph (L)(i)(VII) of
374 this paragraph for the employment of an eligible individual; and

375 “(II) For each application successfully completed, an
376 amount of funds shall be set aside such that the eligible employer may be reimbursed for the
377 employment of an eligible individual for no less than the remainder of the fiscal year during

378 which the application was completed, while the remainder of the assistance shall be subject to
379 the availability of funding.”.

380 **SUBTITLE H. PARALEGAL PROGRAM ESTABLISHMENT**

381 Sec. 1081. Short title.

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

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

388 “(M) Continue the Paralegal Fellowship Initiative pilot program in Fiscal
389 Year 2021 by placing a cohort of returning citizen students in an accredited, university-based
390 paralegal certification program located in the District of Columbia, while providing the students
391 with support services necessary for their success.”.

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

393 Sec. 1091. Short title.

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

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

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

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

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

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

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

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

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

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

416 Sec. 1101. Short title.

417 This subtitle may be cited as the “Indigenous Peoples’ Day Amendment Act of
418 2020”.

419 Sec. 1102. Section 1202(a)(7) of the District of Columbia Government
420 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-319);

421 D.C. Official Code § 1 612.02(a)(7)), is amended by striking the phrase “Columbus Day”
422 and inserting the phrase “Indigenous Peoples’ Day” in its place.

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

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

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

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

431 Sec. 2001. Short title.

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

433

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

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

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

439 (1) The following government members, or their designees:

440 (A) The Deputy Mayor for Planning and Economic Development;

441 (B) The Director of the Department of Small and Local Business

442 Development and

443 (C) The Chairperson of the Council’s Committee on Business and
444 Economic Development; and

445 (2) Eight representatives of business enterprises, one from each Ward, all
446 of whom shall be District residents, who collectively represent industries and geographical areas
447 hardest hit by the COVID-19 emergency, with at least one representative being an owner of an
448 equity impact enterprise as defined by section 2302(8A) of the Small and Certified Business
449 Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-
450 33; D.C. Official Code § 2-218.02(8A)) (“CBE Act”).

451 (b) The business representatives shall be appointed by the Chairman of the Council from
452 recommendations made by the Chairperson of the Council Committee on Business and
453 Economic Development and shall serve without compensation.

454 (c) The Chairperson of the Task Force shall be designated by the Chairperson of the
455 Council’s Committee on Business and Economic Development from among the business
456 representatives.

457 (d) The Department of Small and Local Business Development (“Department”) shall
458 provide administrative support for the Task Force.

459 (e) If, when all the members have been appointed and the Task Force is functioning, the
460 COVID-19 emergency is still in effect, the Task Force shall convene monthly. After the COVID-
461 19 emergency has been lifted, the Task Force shall meet not less frequently than quarterly until
462 dissolved.

463 Sec. 2004. Reporting requirement.

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

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

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

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

472 Sec. 2005. Definitions.

473 For the purposes of this subtitle, term:

474 (1) “COVID-19 emergency” means the public health emergencies declared in the
475 Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of
476 Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any
477 extension of those declared emergencies.

478 (2) “Small business enterprise” shall have the same meaning as provided in
479 2302(16) of the CBE Act.

480 Sec. 2006. Sunset.

481 The Task Force shall dissolve, and this subtitle shall expire as of the date the Task Force
482 submits the report required by section 2003.

483 **SUBTITLE B. NEW YORK AVENUE N.E. RETAIL PRIORITY AREA**
484 **EXPANSION**

485 Sec. 2011. Short title.

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

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

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

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

496 Sec. 2021. Short title.

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

499 Sec. 2022. Title 47 of the District of Columbia Official Code is amended as follows:

500 (a) Chapter 18 is amended as follows:

501 (1) Section 47-1801.04 is amended by adding new paragraphs (39A), (39(B),
502 (39C), and (39D) to read as follows:

503 “(39A) “Qualified Opportunity Fund” shall have the same meaning as the term is
504 defined in section 13823 of the Internal Revenue Code of 1986, approved December 22, 2017
505 (131 Stat. 2184; 26 U.S.C. § 1400Z-2) (“section 13823”).

506 “(39B) “Qualified Opportunity Zone” shall have the same meaning as the term is
507 defined in section 13823 of the Internal Revenue Code of 1986.

508 “(39C) “Qualified Opportunity Zone Business” shall have the same meaning as
509 the term is defined in section 13823 of the Internal Revenue Code of 1986.

510 “(39D) “Qualified Opportunity Zone Business property” shall have the same
511 meaning as the term is defined in section 13823 of the Internal Revenue Code of 1986.”.

512 (2) Section 47-1803.03(a) is amended by adding a new paragraph (20) to read as
513 follows:

514 “(20) Capital Gains. --

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

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

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

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

527 “(i) Invest in a QOF that:

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

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

532 “(III) Has submitted its IRS Form 8996 to the Office of Tax
533 Revenue for the tax year in which the taxpayer is seeking the benefits described in subparagraphs
534 (A), (B), and (C) of this paragraph; and

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

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

540 “(i) That some or all of its investments in Qualified Opportunity
541 Zone Businesses and Qualified Opportunity Zone Business property are in businesses or property
542 that:

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

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

550 “(III) Have an unconditioned resolution of support from the
551 Advisory Neighborhood Commission in which the business or property is located or a

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

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

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

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

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

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

588 Sec. 2041. Short title.

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

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

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

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

596 (b) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding a new paragraph
597 (8A) to read as follows:

598 “(8A) “Equity impact enterprise” means a business enterprise that is both a
599 resident-owned business and a small business enterprise that can demonstrate that it is:

600 “(A) At least 51% owned by an individual who is, or a majority number of
601 individuals who are, economically disadvantaged individuals;

602 “(B) At least 51% owned by a woman or a majority of women; or

603 “(C) A disadvantaged business enterprise.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

632 “(c) Five years from the effective date of the Equity Impact Enterprise Establishment
633 Amendment Act of 2020, as introduced on May 18, 2020 (Bill 23-760), the Mayor shall evaluate
634 the effectiveness of the equity impact enterprise program and whether or not it has resulted in
635 creating more contracting opportunities for equity impact enterprises and submit the evaluation
636 to the Council.

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

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

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

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

647 (g)(1) A new Part D-i is added to read as follows:

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

649 “Sec. 2377. Equity impact enterprise.

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

652 Section 2043. Section 2 of the Minority and Women-Owned Business Assessment Act of
653 2008, effective March 26, 2008 (D.C. Law 17-136; D.C. Official Code § 2-214.01), is amended
654 as follows:

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

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

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

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

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

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

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

668 “In Fiscal Year 2021, The Mayor shall award a grant, on a competitive basis, in
669 an amount not to exceed \$ 1 million to a person or entity to conduct a District-based study
670 (“disparity study”) to.”.

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

672 “(1A) All agencies with procurement authority, including independent agencies,
673 shall coordinate with the Executive Office of the Mayor to provide timely and accurate
674 information to assist with the completion of the disparity study.”.

675 (3) Paragraph (2) is amended by striking the phrase “270 days after October 30,
676 2018” and inserting the phrase “360 days after October 30, 2020 in its place.

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

678 Sec. 2051. Short title.

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

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

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

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

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

689 (3) New paragraph (4) and (5) are added to read as follows:

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

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

696 “(5) Funds to provide real property tax rebates pursuant to D.C. Official Code
697 § 47-4665, in amount not to exceed \$3 million in a fiscal year; provided, that in Fiscal Year
698 2021, the amount shall not exceed \$580,366.”.

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

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

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

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

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

708 “(2) A grantee who receives a grant pursuant to paragraph (1) of this subsection
709 shall provide a report to the Deputy Mayor by September 30, 2021, on the use of the grant funds,
710 including:

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

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

715 “(C) Except as may be prohibited by federal law, the business name and
716 address for each business receiving support from the grantee and the amount received by each
717 business; and

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

720 “(3) The Deputy Mayor shall provide the report required by paragraph (2) of this
721 subsection to the Council, along with a summary analysis of the efficacy and benefits of the
722 grants issued by the grantee by November 1, 2021.”.

723 Sec. 2053. Section § 47–4665 of the District of Columbia Official Code is amended as
724 follows:

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

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

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

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

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

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

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

735 Sec. 2061. Short title.

736 This subtitle may be cited as the “Tax Abatements for Affordable Housing in High-need
737 Affordable Housing Amendment Act of 2020”.

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

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

742 “47-860. Tax abatement for affordable housing.”.

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

744 “§ 47-860. Tax abatement for affordable housing.

745 “(a) Real property tax imposed by § 47-811 on real property certified as provided in
746 subsection (d) of this section shall be abated for the period set forth in subsection (c) of this
747 section; provided, that:

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

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

751 “(3) At least one third of the housing units developed or redeveloped on the real
752 property are affordable to households:

753 (A) To and rented by households earning 80% or less of the area median
754 income; and

755 (B) For a period of up to 30 years, with an option to continue the
756 abatement for up to an additional 10 years;

757 “(4) The developer files a covenant in the land records of the District, binding on
758 the developer and all of its successors, covenanting to comply with the requirements of
759 paragraph (4) of this subsection;

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

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

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

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

774 “(c) The tax abatement provided by this section shall begin in the tax year immediately
775 following the tax year during which a final certificate of occupancy for the affordable housing
776 developed as part of a project meeting the requirements of subsection (a) of this section is issued
777 and shall continue until the end of the 30th tax year after the tax year during which such final
778 certificate of occupancy is issued; provided, that the tax abatement provided by this section shall
779 not begin before October 1, 2023.

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

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

784 “(B) The date the final certificate of occupancy for the affordable housing
785 developed on the real property was issued;

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

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

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

792 “(F) Any other information that the Mayor considers necessary or
793 appropriate.

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

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

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

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

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

808 “(2) “CBE Act” means the Small and Certified Business Enterprise Development
809 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
810 2-218.01 *et seq.*).

811 “(3) “Certified business enterprise” means a business enterprise or joint venture
812 certified pursuant to the CBE Act.

813 “(4) “Developer” means the developer of housing units on real property eligible
814 for a tax abatement under this section.

815 “(5) “First Source Act” means the First Source Employment Agreement Act of
816 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2- 219.03).

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

820 “(7) “High-need affordable housing area” means the 4 planning areas identified in
821 the District’s Housing Equity Report, published in October 2019, with the highest dedicated
822 affordable housing production goals (Rock Creek West, Rock Creek East, Capitol Hill, and
823 Upper Northeast).”.

824 **SUBTITLE H. HEALTHCARE WORKFORCE PARTNERSHIP**

825 Sec. 2071. Short title.

826 This subtitle may be cited as the “Healthcare Workforce Partnership Establishment Act of
827 2020”.

828 Sec. 2072. Definitions

829 (1) “HWI grant” means the grant awarded to the Intermediary pursuant to section

830 3.

831 (2) “Intermediary” means the entity selected to be the Healthcare Workforce

832 Intermediary pursuant to section 3.

833 (3) “Partnership” means the Healthcare Workforce Partnership established

834 pursuant to section 5.

835 (4) “Training” means occupational skills training for occupations in the healthcare

836 sector.

837 (5) “WIOA” means the Workforce Innovation Opportunity Act, approved July 22,

838 2014 (128 Stat. 1425; 29 U.S.C. 3101 *et seq.*).

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

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

841 (a)(1) By December 1, 2020 the WIC shall select, through award of a grant, the

842 Healthcare Workforce Intermediary to establish, convene, and assist the Healthcare Workforce

843 Partnership.

844 (2) Consistent with Grant Administration Act of 2013, effective December 24,

845 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the WIC shall issue multi-year

846 grants for a period of 4 years, subject to the availability of funds.

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

848 (1) Be a non-profit organization, industry association, or community-based

849 organization; and

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

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

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

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

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

857 (A) Assisting the Partnership in obtaining data and information from
858 District agencies;

859 (B) Providing the Partnership with customized labor market and economic
860 analysis;

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

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

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

867 (3) Use the Partnership’s Healthcare Occupations Reports to align District
868 government funded workforce development training with current and future healthcare sector
869 hiring needs in the District.

870 Sec. 2074. Intermediary duties.

871 The Intermediary shall:

- 872 (1) By July 1, 2021:
- 873 (A) Appoint members to the Partnership consistent with the criteria
874 specified in section 2075(b)(3);
- 875 (B) Convene at least 4 Partnership meetings;
- 876 (C) Compose and transmit to the WIC the Partnership’s first Healthcare
877 Occupations Report, described in section 2075(e);
- 878 (2) For the duration of the grant:
- 879 (A) Provide administrative support to the Partnership;
- 880 (B) Convene Partnership meetings at least quarterly;
- 881 (C) Compile and transmit to the WIC feedback from the Partnership on
882 any statement of work for a proposed grant solicitation for the provision of training no more than
883 15 days after receiving the statement of work pursuant to section 2073(d)(2);
- 884 (D) Work with the Partnership to coordinate and ensure provision of
885 career coaching, screening and referral services, practice interviews, and job fairs for healthcare
886 sector employment for qualified District training graduates;
- 887 (E) Facilitate requests for professional development and learning
888 opportunities for training providers and training participants at healthcare facilities;
- 889 (F) Annually, compose and transmit the Partnership’s Healthcare
890 Occupations Report, described in section 2075(e); and
- 891 (G) Perform additional duties on behalf of the Partnership consistent with
892 the purposes of this subtitle and as funds permit; and

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

897 Sec. 2075. Healthcare Workforce Partnership.

898 (a) The Intermediary shall establish the Healthcare Workforce Partnership, which shall
899 work to increase the number of District residents employed in the healthcare sector and to meet
900 the staffing needs of District healthcare employers, particularly of hospitals that receive District
901 government funds.

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

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

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

908 (A) At least 5 employer representatives of the District’s healthcare sector,
909 which shall represent a variety of healthcare disciplines;

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

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

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

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

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

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

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

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

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

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

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

933 (5) Recommendations of curricula for training in occupations identified pursuant
934 to paragraph (1) of this subsection;

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

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

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

941 (9) Recommendations to attract District resident to, and retain District residents
942 in, occupations identified pursuant to paragraph (1) of this subsection, including necessary tactics
943 to increase candidates’ hard and soft skills and to reduce barriers to employment.

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

945 (a) By September 1, 2021, the WIC shall establish a healthcare training program
946 (“program”) to fund or arrange for training of District residents in a minimum of 2 healthcare
947 occupations identified in the Partnership’s first Healthcare Occupations Report (“report”), issued
948 pursuant to section 2075(e)(1), which may include one occupation for upskilling of incumbent
949 workers.

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

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

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

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

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

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

961 (B) Agree to utilize the training curricula recommended by the Partnership
962 pursuant to section 1XX5(e)(5); and

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

965 (i) Completion of training;

966 (ii) Credential attainment;

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

968 (iv) Retention of employment for 6 months or longer in the

969 occupation of training.

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

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

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

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

979 Sec. 2077. Monitoring and evaluation.

980 By August 1, 2021, and annually thereafter, the WIC shall transmit to the Mayor and the
981 Council the Healthcare Occupation Report developed by the Partnership pursuant to section
982 2075(e).

983 **SUBTITLE I. DC INFRASTRUCTURE ACADEMY EMPLOYER**
984 **ENGAGEMENT**

985 Sec. 2081. Short title.

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

988 Sec. 2082. The Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-
989 46; D.C. Official Code § 32-241 *et seq.*), is amended as follows:

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

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

992 “(1A) “Committees” means the Industry Advisory Committees established
993 pursuant to section 2f.”.

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

995 “(2A) “DCIA” means the DC Infrastructure Academy established by the Mayor.”.

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

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

998 “Sec. 2e. DC Infrastructure Academy.

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

1000 “(1)(A) Provide occupational skills training (“skills training”) annually in the
1001 construction, infrastructure, and information technology industries.

1002 “(B) DCIA may provide skills training in additional industries for which
1003 there is significant demand regionally or by a major employer.

1004 “(2) Provide occupational skills training designed to meet the needs of employers
1005 by:

1006 “(A) Aligning skills training with the annual recommendations the
1007 Committees submit to DCIA pursuant to section 2f(c);

1008 “(B)(i) Submitting a proposed curriculum, at least 30 calendar days prior
1009 to the start of any skills training taught by DCIA staff, to the relevant Committee for its
1010 feedback; and

1011 “(ii) Implementing any skills trainings taught by DCIA staff
1012 consistent with any feedback received from a Committee;

1013 (C)(i) Submitting to the relevant Committee, at least 30 calendar days
1014 before soliciting applications or bids on a grant or contract to provide skills training, a request
1015 that the Committee review a grant or contract solicitation’s proposed scope of work;

1016 “(ii) Preparing statements of work for grants and contracts to
1017 provide skills training that are consistent with any feedback received from a Committee;

1018 (D) For any customized skills training provided specifically for a
1019 particular employer, seeking input from the employer consistent with the requirements outlined
1020 in subparagraphs (B) and (C) of this paragraph.

1021 “(3) Provide test preparation sessions and practice exams to ready participants to
1022 obtain the occupational credentials the Committees identify in their annual reports pursuant to
1023 section 2f(c)(4); and

1024 “(4) Provide job referrals, as defined in 20 C.F.R. § 651.10, to employers in the
1025 industry sectors identified in paragraph (1) of this subsection for all qualified graduates of DCIA
1026 training programs.

1027 “(b) DCIA skills training may include:

1028 “(1) Training services enumerated in section 134(c)(3)(D) of the Workforce
1029 Innovation and Opportunity Act of, approved July 22, 2014 (128 Stat. 1529; 29 U.S.C. §
1030 3174(c)(3)(D));

1031 “(2) Supportive services, as defined in 20 C.F.R. § 651.10;

1032 “(3) Integrated education and training, as defined in 34 C.F.R. § 463.35;

1033 “(4) Workforce preparation activities, as defined in 34 C.F.R. 463.34; and

1034 “(5) Job development, as defined in 20 C.F.R. § 651.10.

1035 “(c)(1) At least 66% of the participants receiving skills training through the DCIA each
1036 fiscal year shall be trained in occupations that pay an average wage that is at least 150% of the
1037 minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective
1038 March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).

1039 “(2) At least 25% of the value of each grant or contract with a skills training
1040 provider shall be contingent on the provider achieving at least one of the following results:

1041 “(A) At least 75% of the provider’s participants receive an industry-
1042 recognized credential; and

1043 “(B) At least 80% of the provider’s participants enter permanent,
1044 unsubsidized employment in the occupation of training.

1045 “Sec. 2f. Industry Advisory Committees.

1046 “(a)(1) The Director shall establish Industry Advisory Committees (“Committees”) to
1047 advise DCIA on occupational skills training offerings with the goal of aligning DCIA’s trainings
1048 with industry hiring needs.

1049 “(2) There shall be one committee per industry sector in which DCIA offers
1050 occupational skills training pursuant to section 2e(a)(1).

1051 “(3) Each Committee shall consist of representatives of at least 2 employers from
1052 the relevant industry sector, whom the Director shall appoint.

1053 “(4)(A) The Director shall make initial appointments to the Committees within 30
1054 days of the effective date of this subtitle.

1055 “(B) Committee members shall disclose all existing and potential conflicts
1056 of interest to the Director. No committee member may, in any manner, directly or indirectly,
1057 participate in a deliberation upon, or the determination of, any question affecting the financial
1058 interest of any corporation, partnership, or association in which the member or a member of the
1059 member’s family is directly or indirectly interested. Committee members shall disclose the
1060 nature of any financial or personal relationships with any training providers by completing a
1061 conflict of interest form.

1062 “(b) No later than December 15, 2020, and annually thereafter in advance of the start of a
1063 new fiscal year, each Committee shall submit written recommendations to DCIA, which shall
1064 contain the following:

1065 “(1) Recommendations of 2 to 4 specific occupational skills trainings DCIA
1066 should offer;

1067 “(2) Number of District residents DCIA should train in the occupations identified
1068 pursuant to paragraph (1) of this subsection;

1069 “(3) Occupational skills required to obtain employment in the occupations
1070 identified pursuant to paragraph (1) of this subsection;

1071 “(4) A description of tools, equipment, and services necessary to conduct
1072 trainings to acquire the skills identified in paragraph (3) of this subsection;

1073 “(5) Industry-recognized credentials required for obtaining employment in the
1074 occupations identified pursuant to paragraph (1) of this subsection, when appropriate; and

1075 “(6) The feasibility of providing virtual training or distance learning and
1076 recommendations to implement virtual training.

1077 “(c) After receiving a proposed training curriculum from the DCIA pursuant to section
1078 2e(a)(2)(B)(i), a Committee shall provide the DCIA with a written explanation of recommended
1079 modifications, if any.

1080 “(d) Within 30 calendar days after receiving a proposed scope of work for a grant or
1081 contract from DCIA pursuant to section 2e(a)(2)(C)(i), the Committee shall provide DCIA with a
1082 written explanation of recommended modifications, if any.”.

1083 **SUBTITLE J. WORKPLACE LEAVE NAVIGATORS**

1084 Sec. 2091. Short title.

1085 This subtitle may be cited as the “Workplace Leave Navigators Program Establishment
1086 Amendment Act of 2020”.

1087 Sec. 2092. Definitions.

1088 For the purposes of this subtitle, the term:

- 1089 (1) “Director” means the director of DOES.
- 1090 (2) “DOES” means the Department of Employment Services.
- 1091 (3) “Family and medical leave” means leave available under the District of
1092 Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181;
1093 D.C. Official Code § 32-501 *et seq.*).
- 1094 (4) “Paid sick leave” means leave available under the Accrued Sick and Safe
1095 Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01
1096 *et seq.*).
- 1097 (5) “Universal paid leave” means leave benefits available under the Universal
1098 Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official
1099 Code § 32-541.01 *et seq.*).
- 1100 (6) “Workplace leave” means universal paid leave, paid sick leave, family and
1101 medical leave, or any other job-protected leave to which an individual may be entitled under
1102 federal or District law.
- 1103 Sec. 2093. Workplace Leave Navigators Program.
- 1104 (a) There is established a Workplace Leave Navigators Program (“Program”), which the
1105 Director shall administer.
- 1106 (b) The Program shall be funded with monies from the Universal Paid Leave
1107 Administration Fund, established pursuant to section 1153 of the Universal Paid Leave
1108 Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020 (Engrossed version of
1109 Bill 23-760).
- 1110 (c) The Program shall provide funds to:

1111 (1) Organizations with demonstrated experience representing employees in
1112 matters related to workplace leave solely for the purpose of specific assistance to individuals in
1113 obtaining their workplace leave and benefits; and

1114 (2) Nonprofit organizations, businesses, or professional or trade associations with
1115 experience representing or assisting employers with the administration or understanding of
1116 workplace leave laws for the purpose of providing assistance to employers to share best practices
1117 or guidance regarding how to:

1118 (A) Coordinate and accommodate different types of workplace leave,
1119 along with employer-sponsored disability plans; and

1120 (B) Ensure compliance with workplace leave laws.

1121 (d)(1) Program funds issued to organizations for the purposes described in subsection
1122 (c)(1) of this section:

1123 (A) Shall be used solely to assist individuals with:

1124 (i) Filing an initial claim for universal paid leave;

1125 (ii) Determining the type of workplace leave or employer offered
1126 leave, including an employer-sponsored disability plan, for which an individual may be eligible;

1127 (iii) Filing an administrative complaint related to the provision of
1128 workplace leave, including a complaint of retaliation;

1129 (iv) Responding to or appealing an initial administrative decision
1130 or determination related to workplace leave; or

1131 (v) Providing an employer with appropriate documentation
1132 supporting a request for workplace leave; and

1133 (B) May be used to provide training and guidance to medical providers or
1134 healthcare trade or professional associations on the requirements of workplace leave laws
1135 pertaining to documentation supporting the need for leave.

1136 (2) Program funds issued to non-profits, businesses, or professional or trade
1137 associations assisting employers for the purposes described in subsection (c)(2) of this section:

1138 (A) Shall be used to:

1139 (i) Assist employers with coordinating the employer’s workplace
1140 leave programs, including employer-sponsored disability plans, with workplace leave laws;

1141 (ii) Provide guidance, including best practices, to an employer on
1142 what an employer must do to comply with District and federal workplace leave laws and
1143 regulations;

1144 (iii) Aid employers in responding to DOES’s request for
1145 information from the employer, including requests related to claim determinations made by
1146 DOES;

1147 (iv) Responding to an administrative complaint related to the
1148 provision of workplace leave; provided, that Program funds shall not be used to respond to a
1149 complaint of retaliation;

1150 (v) Responding to or appealing an initial administrative decision or
1151 determination related to workplace leave; and

1152 (B) May be used to provide training and guidance to medical providers or
1153 healthcare trade or professional associations on the requirements of workplace leave laws.

1154

1155 (e) Funds for the Program may not be used to prosecute or defend claims in a lawsuit
1156 related to the provision of workplace leave.

1157 (f)(1) The Director shall issue Program funds through competitive grants administered
1158 pursuant to the requirements set forth in the Grant Administration Act of 2013, effective
1159 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and section 2(b-1)
1160 of the Workforce Job Development Grant-Making Authority Act of 2012, effective April 23,
1161 2013 (D.C. Law 19-269; D.C. Official Code § 1-328.05(b-1)).

1162 (2) The Director shall issue an initial Request for Applications no later than
1163 October 31, 2020, and annually thereafter. The Director may issue multi-year grants, subject to
1164 the availability of appropriations.

1165 (3) In a fiscal year, the amount of grants the Director issues for the purposes
1166 described in subsections (c)(1) and (c)(2) of this section shall account for the need of each.

1167 **SUBTITLE K. SCHOOL YEAR INTERNSHIP PILOT PROGRAM**

1168 Section 2101. Short title.

1169 This subtitle may be cited as the “School Year Internship Pilot Program Amendment Act
1170 of 2020”.

1171 Section 2102. Section 2a(a) of the Youth Employment Act of 1979, effective January 5,
1172 1980 (D.C. Law 3-46; D.C. Official Code § 32-242(a)), is amended by adding a new paragraph
1173 (2A) to read as follows:

1174 “(2A)(A) School year internship pilot. — In Fiscal Year 2021, a pilot program
1175 called the School Year Internship Pilot Program (“Program”) for 250 District high school
1176 students to provide work-based learning opportunities during the school year.

1198 “(F)(i) Internship hosts may be non-profit organizations, public schools or
1199 public charter schools, government agencies, or private businesses.

1200 “(ii) Prospective internship hosts shall submit applications to
1201 participate in the Program no later than December 1, 2020. The application shall include a
1202 detailed job description that identifies specific tasks, projects, or duties that the intern will
1203 perform and the name and job title of the individual who will directly supervise the intern.

1204 “(iii) DOES shall review internship host applications and shall give
1205 priority to applications that will engage an intern in work experience activities, rather than work
1206 readiness activities, for the majority of an intern’s time.

1207 “(G) DOES shall implement the Program through public-private
1208 partnerships between the District government and an internship host that has the ability to
1209 employ youth under the Program, subject to all federal and District laws, rules, and regulations
1210 relating to the procurement and award of contracts, grants, or other government assistance.

1211 “(H)(i) DOES shall develop benchmarks for interns’ growth and
1212 development in work readiness, which internship hosts shall utilize to assess an intern’s work
1213 readiness.

1214 “(ii) An internship host shall provide its written assessment of an
1215 intern’s work readiness to DOES within 30 days after the end of the internship.”.

1216 Sec. 2103. The Department of Employment Services Local Job Training Quarterly
1217 Outcome Report Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official
1218 Code § 32–771) is amended by adding a new section 2083 to read as follows:

1219 “Sec. 2083. Department of Employment Services annual report on year-round youth
1220 programs.

1221 “(a) Starting December 15, 2020, and annually thereafter, the Department of Employment
1222 Services (“Department”) shall publish on its website and submit to the Council a report on the
1223 operations of its year-round youth programs, including:

1224 “(1) The In-School Youth Program;

1225 “(2) The Out-of-School Youth Program;

1226 “(3) The Marion Barry Youth Leadership Institute;

1227 “(4) Pathways for Young Adults Program;

1228 “(5) Youth Earn and Learn Program;

1229 “(6) The High School Internship Program;

1230 “(7) In-school Youth Innovation Grants; and

1231 “(8) In-school DCHR internship program.

1232 “(b) The report shall include the following information for each program from the
1233 previous fiscal year:

1234 “(1) The number of participants newly enrolled;

1235 “(2) The total number of participants, disaggregated by ward, grade, school, age
1236 and, if known, at-risk status;

1237 “(3) Each program’s total expenditures, disaggregated by fund type (federal,
1238 local, Intra-district, or Special Purpose Revenue funds); and

1239 “(4) The names of any vendors, grantees, host employers (including public
1240 schools and public charter schools for the High School Internship Program), host sites, or other
1241 organizations providing services to youth.

1242 “(c) The Department may withhold from the report required pursuant to subsection (b) of
1243 this section any information precluded from release by federal law, rule, or policy; provided that,
1244 if at a later time, such information may be released, the Department shall supplement the next
1245 annual report following the date on which the information may be shared with the withheld
1246 information.

1247 “(d) For the purposes of this section, the term “at-risk” means a public school, public
1248 charter school, or private school student who is identified as one or more of the following:

1249 “(1) Homeless;

1250 “(2) In the District’s foster care system;

1251 “(3) Qualifies for the Temporary Assistance for the Needy Families program or
1252 the Supplemental Nutrition Assistance Program; or

1253 “(4) A high school student that is one year older, or more, than the expected age
1254 for the grade in which the student is enrolled.”.

1255 **SUBTITLE L. UNEMPLOYMENT INSURANCE MODERNIZATION**

1256 Sec. 2111. Short title.

1257 This subtitle may be cited as the “Unemployment Insurance Modernization Requirements
1258 Act of 2020”.

1259 Sec. 2112. Unemployment insurance modernization requirements.

1260 (a) The Department of Employment Services (“DOES”) shall launch an integrated, fully
1261 modernized, and fully functioning unemployment insurance information technology benefits and
1262 tax system (“benefits system”) for public use no later than September 30, 2022.

1263 (b) The benefits system shall include an internet accessible public interface that:

1264 (1) Can be accessed from all major internet browsers and used on mobile devices
1265 and personal computers;

1266 (2) Is accessible to people with disabilities in compliance with section 504 of the
1267 Rehabilitation Act of 1973, approved September 26, 1973 (87 Stat. 394; 29 U.S.C. 794), and title
1268 II of the Americans with Disabilities Act, approved July 26, 1990 (104 Stat. 337; 42 U.S.C.
1269 12131 *et seq.*); and

1270 (3) Complies with the Language Access Act of 2004, effective March 14, 2007
1271 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

1272 (c)(1) The Office of Contracting and Procurement (“OCP”), in consultation with DOES,
1273 should issue a Request for Proposals for the full modernization of the benefits system, consistent
1274 with the requirements of subsections (a) and (b) of this section, no later than October 30, 2020.

1275 (2) The OCP should award a contract for the full modernization of the benefits
1276 system no later than January 15, 2021.

1277 Sec. 2113. (a) Beginning no later than 15 days after the effective date of this subtitle, on
1278 any day when American Job Centers are closed (excluding weekends, holidays, and staff training
1279 days), the Department of Employment Services (“DOES”) shall provide the following materials
1280 at its headquarters from 8:30 a.m. to 5:00 p.m.:

1281 (1) Hard copies of unemployment insurance benefits applications, with hard
1282 copies of all instructions that are available online for completing the application;

1283 (2) Hard copies of DOES complaint forms for violations of District labor laws,
1284 including wage and hour, accrued paid sick time, and workers’ compensation laws, with hard
1285 copies of all instructions that are available online for completing each form;

1286 (3) Envelopes individuals may use in submitting their applications and complaint
1287 forms, with space on the outside to identify the form being submitted; and

1288 (4) A locked box with a slot into which individuals may deposit their completed
1289 applications and complaint forms.

1290 (b) The DOES shall make the materials identified in subsection (a) of this section
1291 available in a location at its headquarters that is publicly and handicap accessible.

1292 **SUBTITLE M. TRANSGENDER AND NON-BINARY EMPLOYMENT STUDY**

1293 Sec. 2121. Short title.

1294 This subtitle may be cited as the “District Government Transgender and Non-Binary
1295 Employment Study Act of 2020”.

1296 Sec. 2122. The District of Columbia Government Comprehensive Merit Personnel Act of
1297 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq*) is
1298 amended by adding a new Title VII-B to read as follows:

1299 “TITLE VII-B GENDER IDENTITY STUDY

1300 “Sec. 760. Definitions.

1301 “For the purposes of this title, the term:

1302 “(1) “Cisgender” means individuals whose sex assigned at birth matches the
1303 individual’s perceived gender.

1304 “(2) “Gender identity” means an individual’s internal sense of the individual’s
1305 gender, which may be the same as or different from sex assigned at birth and can include male,
1306 female, neither, or both.

1307 “(3) “Non-binary” includes individuals whose gender identity is neither entirely
1308 male nor entirely female, or varies between the two.

1309 “(4) “Transgender” includes individuals whose gender identity or expression is
1310 different from that typically associated with their assigned sex at birth.

1311 “Sec. 761. Study of transgender and non-binary employment.

1312 “(a) The Mayor shall contract with an entity to conduct a study of employment data,
1313 hiring and recruitment practices, and workplace climate in District government agencies in
1314 relation to people who are transgender or non-binary. At a minimum, the study shall include:

1315 “(1) A census of employees who identify as transgender or non-binary, including
1316 information on the employees’ race and ethnicity, gender identity, and age;

1317 “(2) A review of District government agencies’ transgender and non-binary
1318 inclusion policies, including policies developed under the Human Rights Act of 1977, effective
1319 December 13, 1977, (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), (“Human Rights
1320 Act”) and any regulations promulgated pursuant to the Human Rights Act, and an evaluation of
1321 the extent to which District government agencies have implemented such polices and how
1322 transgender and non-binary employees experience such polices;

1323 “(3) An evaluation of District government agencies’ actual recruitment, hiring,
1324 retention, and promotion practices related to prospective and current transgender and non-binary
1325 employees;

1326 “(4) An analysis of any disparities in earnings, title, pay grade, length of time in
1327 position, and educational attainment between employees who identify as transgender or non-
1328 binary and employees who identify as cisgender;

1329 “(5) An assessment of transgender and non-binary employees’ workplace
1330 experiences as employees of District government agencies, including experiences of
1331 discrimination, harassment, or mistreatment on the job; and

1332 “(6) An evaluation of data, including participant demographics and program
1333 outcomes, for transgender or non-binary participants in the Department of Employment Services’
1334 job training programs; and

1335 “(7) Recommendations for District government agencies on improving
1336 employment and hiring practices as they relate to individuals who are transgender or non-binary.

1337 “(b) The contractor may survey employees to gather data for the purposes of the study.

1338 “(c) The contractor completing the study shall:

1339 “(1) Have, or partner with another entity with, experience studying and
1340 knowledge of sexual orientation and gender identity;

1341 “(2) Include a statement in requests for information and surveys sent to employees
1342 explaining that providing information is voluntary;

1343 “(3) Ensure the privacy, dignity, and confidentiality of employees;

1344 “(4) Not disclose, or retain after the study is complete, personally identifiable
1345 information gathered in the course of the study; and

1346 “(5) Consult with the Office of Human Rights in developing a detailed proposed
1347 plan of the study, surveys to be administered, and any resulting recommendations from the
1348 entity.

1349 “(d) The Mayor may use electronic communication tools, including e-mail, to facilitate
1350 the contractor’s outreach to District government employees.

1351 “(e) The Mayor shall:

1352 “(1) Review the contractor’s proposals and recommendations to ensure they are
1353 consistent with the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38;
1354 D.C. Official Code § 2-1401.01 *et seq.*);

1355 “(2) Review data, with personally identifiable information removed, on
1356 harassment and discrimination complaints filed by transgender and non-binary employees
1357 against District government agencies since January 1, 2015;

1358 “(3) Provide the contractor with the information necessary to facilitate subsection
1359 (a) of this section; and

1360 “(4) Submit a final report with findings and recommendations to the Council no
1361 later than December 31, 2021. The final report submitted to the Council shall not contain any
1362 personally identifiable information.”.

1363 **SUBTITLE N. TIPPED WAGE WORKERS FAIRNESS CLARIFICATION**

1364 Sec. 2131. This subtitle may be cited as the “Tipped Workers Fairness Clarification
1365 Amendment Act of 2020”.

1366 Sec. 2132. The Tipped Wage Workers Fairness Amendment Act of 2018, effective
1367 December 13, 2018 (D.C. Law 22-196; D.C. Official Code § 32-161 *et seq.*), is amended as
1368 follows:

1369 (a) Section 3 (D.C. Official Code § 32-161) is amended as follows:

1370 (1) Subsection (a)(1) is amended as follows:

1371 (A) The lead-in language is amended by striking the phrase “By April 1,
1372 2020” and inserting the phrase “Within 120 days after the date this section becomes applicable”
1373 in its place.

1374 (B) Subparagraph (F) is repealed.

1375 (2) Subsection (b) is amended as follows:

1376 (A) Paragraph (1) is amended as follows:

1377 (i) The lead-in language is amended by striking the phrase “By
1378 April 1, 2020” and inserting the phrase “Within 120 days after the date this section becomes
1379 applicable” in its place.

1380 (ii) Subparagraph (B) is amended to read as follows:

1381 “(B) The following text formatted in a large font and for maximum
1382 readability, including the use of bullet points to call out each specified right on a separate line:

1383 “EMPLOYEE RIGHTS IN THE DISTRICT OF COLUMBIA: Do you know your rights
1384 as an employee working in Washington, D.C.? Employees have the right:

- 1385 • To be paid at least the minimum wage;
- 1386 • To be paid on time;
- 1387 • To receive a detailed pay stub;

- 1388 • To accrue and use paid sick and safe leave;
- 1389 • To request time off to attend a child’s school-related activities;
- 1390 • To qualify for unpaid family and medical leave;
- 1391 • To be compensated for work-related illness or injury;
- 1392 • To remain free from discrimination;
- 1393 • To be accommodated in the workplace during pregnancy;
- 1394 • To remain free from employer retaliation for discussing or exercising any of these rights;
- 1395 and
- 1396 • To file a complaint for violation of workplace rights with the Department of Employment
1397 Services (DOES) or the Office of Human Rights (OHR);

1398 To learn about these and other workplace rights, visit the website below. This notice does not
1399 create, expand, or limit rights under District or federal law.”;”.

1400 (B) Paragraph (2) is amended by striking the phrase “The poster” and
1401 inserting the phrase “Below the text required pursuant to paragraph (1)(B) of this subsection, the
1402 poster” in its place.

1403 (3) Subsection (d)(6) is repealed.

1404 Sec. 2133. The Minimum Wage Act Revision Act of 1992, effective March 11, 2014
1405 (D.C. Official Code § 32-1001 *et seq.*) is amended as follows:

1406 (a) Section 10a (D.C. Official Code § 32-1009.01) is amended as follows:

1407 (1) Subsection (a) is amended to read as follows:

1408 "(a)(1) As of January 1, 2020, the third-party payroll businesses required pursuant
1409 to section 9(a-1) to process payroll for an employer that employs a tipped worker and hotel

1410 employers that employ a tipped worker shall submit a quarterly wage report for the preceding
1411 calendar quarter to the Mayor no later than 30 days after the end of each calendar quarter.

1412 “(2) Each quarterly wage report shall certify that each tipped worker was paid at
1413 least the required minimum wage, including gratuities, and shall include the following:

1414 “(A) Itemized, for each tipped worker, the worker’s:

1415 “(i) Name;

1416 “(ii) Average hourly wage received per week during the quarter;

1417 “(iii) Total hours worked at or above the minimum hourly wage
1418 established under section 4(f) per week;

1419 “(iv) Gross wages received per week; and

1420 “(v) Total gratuities received per week.

1421 “(B) For a hotel employer, a certification that all of the information in the
1422 report is accurate;

1423 “(C) For a third-party payroll business, a certification that the information
1424 in the report was generated using the same payroll data used to generate the information required
1425 to be furnished to employees pursuant to section 9(b); and

1426 “(D) If tips were shared, a copy of the employer’s tip-sharing policy used
1427 during the quarter, unless the third-party payroll business and the employer have agreed that the
1428 employer will submit the tip-sharing policy, in which case, a certification that such an agreement
1429 was in place during the calendar quarter.

1430 “(3)(A) An employer that agrees to submit its tip-sharing policy directly to the
1431 Mayor shall submit the policy to the Mayor no later than 30 days after the end of each calendar
1432 quarter.

1433 “(B) If the Mayor does not receive the tip-sharing policy of an employer
1434 that employs a tipped worker by the submission deadline for quarterly wage reports, the Mayor
1435 shall presume that the employer did not have a tip-sharing policy in place during the calendar
1436 quarter.”.

1437 (2) Subsection (b)(2) is amended to read as follows:

1438 “(2) A person required to submit documents pursuant to subsection (a) of this
1439 section shall submit the documents online through the Internet-based portal, unless the Mayor
1440 exempts the person from online reporting because it creates a hardship for the person, in which
1441 case, the person shall submit the documents in hard-copy form.”.

1442 (3) A new subsection (d) is added to read as follows:

1443 “(d) For the purposes of this section the term “tipped worker” means an employee
1444 paid in accordance with section 4(f).”.

1445 (b) Section 12(d)(1) (D.C. Official Code § 32-1011(d)(1)) is amended by adding a new
1446 subparagraph (E-i) to read as follows:

1447 “(E-i) \$500 against an employer for each failure to timely submit the
1448 quarterly wage report required pursuant to section 10a, in its entirety, unless the employer proves
1449 that it used a third-party payroll business to process the relevant quarter’s payroll for the
1450 employer.”.

1451 **SUBTITLE O. UNIVERSAL PAID LEAVE FUND**

1452 Sec. 2141. Short title.

1453 This subtitle may be cited as the “Universal Paid Leave Fund Amendment Act of 2020.”

1454 Sec. 2142. The Universal Paid Leave Implementation Fund Act of 2016, effective
1455 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended as follows:

1456 (a) A new section 1151a is added to read as follows:

1457 “Sec. 1151a. Definitions.

1458 “For the purposes of this subtitle, the term “Act” means the Universal Paid Leave Act of
1459 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*).”.

1460 (b) Section 1152 (D.C. Code 32-551.01) is amended as follows:

1461 (1) The section heading is amended by striking the phrase “Universal Paid Leave
1462 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1463 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave
1464 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1465 (3) Subsection (b) is amended to read as follows:

1466 “(b)(1) Money in the Fund shall be used to implement the Act, which shall include
1467 paying for:

1468 (A) Benefits provided under the Act;

1469 (B) The cost of administering and enforcing the Act; and

1470 (C) Hearing appeals of claim determinations made pursuant to the Act.

1471 “(2) In a fiscal year:

1472 “(A) No more than 8.75% of the funds deposited into the Fund may be
1473 used to administer the Act;

1474 “(B) No more than .75% of the funds deposited into the Fund may be used
1475 to enforce the Act; and

1476 “(C) No more than 0.5% of the funds deposited into the Fund may be used
1477 to hear appeals of claim determinations pursuant to section 108(a)-(c) of the Act.

1478 “(3) Amounts appropriated annually for the purposes described in paragraph (2)
1479 of this subsection shall be deposited in the Universal Paid Leave Administration Fund,
1480 established pursuant to section 1153.”.

1481 (4) Subsection (f) is amended by striking the period and inserting the phrase “and
1482 the Workplace Leave Navigators Program established pursuant to the Workplace Leave
1483 Navigators Program Establishment Amendment Act of 2020, passed on 1st reading on July 7,
1484 2020 (Bill 23-760).” in its place.

1485 (c) A new section 1153 is added to read as follows:

1486 “Sec. 1153. Universal Paid Leave Administration Fund.

1487 “(a) There is established as a special fund the Universal Paid Leave Administration Fund
1488 (“Fund”), which shall be administered by the Department of Employment Services (“DOES”) in
1489 accordance with subsections (c), (d), (e), and (f) of this section.

1490 “(b) Amounts appropriated annually from the Universal Paid Leave Fund, pursuant to
1491 section 1152(b)(3), shall be deposited in the Fund.

1492 “(c) Money in the Fund shall be used for the following purposes:

1493 “(1) Administration of the Act by DOES, including public education, pursuant to
1494 section 106(j) of the Act; provided, that no more than 6% of money appropriated annually for
1495 administration of the Act may be used for public education; and provided further, that at least
1496 \$500,000 of the money for public education shall be used to fund the Workplace Leave
1497 Navigators Program established pursuant to section 2093 of the Workplace Leave Navigators
1498 Program Establishment Amendment Act of 2020, passed on 1st reading on July 7, 2020 (Bill 23-
1499 760);

1500 “(2) Enforcement of section 108(e) and section 110(a) and (b) of the Act by the
1501 Office of Human Rights, which may include education and outreach on individuals’ rights under
1502 the Act; and

1503 “(3) Hearing of appeals of claim determinations by the Office of Administrative
1504 Hearings, pursuant to section 108(a)-(c) of the Act.

1505 “(d) Beginning no later than October 1, 2020 and by October 1 annually thereafter,
1506 DOES shall execute a Memorandum of Agreement with the Office of Human Rights for the
1507 intradistrict transfer of funds appropriated, pursuant to subsection (c)(2) of this section, for
1508 enforcement.

1509 “(e) Beginning no later than October 1, 2020 and by October 1 annually thereafter, DOES
1510 shall execute a Memorandum of Agreement with the Office of Administrative Hearings for the
1511 intradistrict transfer of funds appropriated, pursuant to subsection (c)(3) of this section, for
1512 hearing of appeals of claim determinations.

1513 “(f) Money deposited into the Fund but not expended in a fiscal year shall revert to the
1514 Universal Paid Leave Fund, established pursuant to section 1152.”.

1515 Sec. 2143. Conforming amendments.

1516 The Universal Paid Leave Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C.
1517 Official Code § 32-541.01 *et seq.*), is amended as follows:

1518 (a) Subsection 101 (D.C. Official Code § 32-541.01) is amended as follows:

1519 (1) Paragraph (10)(A) is amended by striking the phrase “Universal Paid Leave
1520 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1521 (2) Paragraph (21) is amended by striking the phrase “Universal Paid Leave
1522 Implementation Fund” means the Uniform Paid Leave Implementation Fund” and inserting the
1523 phrase “Universal Paid Leave Fund” means the Universal Paid Leave Fund” in its place.

1524 (b) Section 103 (D.C. Official Code § 32-541.03) is amended as follows:

1525 (1) The section heading is amended by striking the phrase “Universal Paid Leave
1526 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1527 (2) Subsection (a) is amended by striking the phrase “Universal Paid Leave
1528 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1529 (3) Subsection (b) is amended by striking the phrase “Universal Paid Leave
1530 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1531 (4) Subsection (c) is amended by striking the phrase “Universal Paid Leave
1532 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1533 (5) Subsection (d) is amended by striking the phrase “Universal Paid Leave
1534 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1535 (6) Subsection (e) is amended by striking the phrase “Universal Paid Leave
1536 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1537 (7) Subsection (f) is amended by striking the phrase “Universal Paid Leave
1538 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1539 (c) Section 104(g)(6)(A) (D.C. Official Code § 32-541.04(g)(6)(A)) is amended by
1540 striking the phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal
1541 Paid Leave” in its place.

1542 (d) Section 105(a)(2) (D.C. Official Code § 32-541.05(a)(2)) is amended by striking the
1543 phrase “Universal Paid Leave Implementation” and inserting the phrase “Universal Paid Leave”
1544 in its place.

1545 (e) Section 106(j)(1) (D.C. Official Code § 32-541.06(j)(1) is amended to read as follows:
1546 “(j)(1) The Mayor shall conduct a public-education campaign, which shall be paid for out
1547 of the Universal Paid Leave Administration Fund, pursuant to section 1153(c)(2) of the
1548 Universal Paid Leave Implementation Fund Act of 2016, passed on 1st reading on July 7, 2020
1549 (Bill 23-760), to inform individuals of the benefits provided for in this act.”.

1550 (f) Section 109(c) (D.C. Official Code § 32-541.09(c)) is amended as follows:

1551 (1) Paragraph (1) is amended by striking the phrase “Universal Paid Leave
1552 Implementation” and inserting the phrase “Universal Paid Leave” in its place.

1553 (2) Paragraph (2) is amended by striking the phrase “Universal Paid Leave
1554 Implementation” both times it appears and inserting the phrase “Universal Paid Leave” in its
1555 place.

1556 **SUBTITLE P. SHARED WORK COMPENSATION PROGRAM**

1557 Sec. 2151. Short title.

1558 This subtitle may be cited as the “Shared Work Compensation Program Clarification
1559 Amendment Act of 2020”.

1560 Sec. 2152. The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law
1561 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

1562 (a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

1563 (1) Paragraph (4) is repealed.

1564 (2) New paragraphs (4A) and (4B) are added to read as follows:

1565 “(4A) “Health and retirement benefits” means employer-provided health benefits,
1566 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal
1567 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
1568 contributions under a defined contribution plan, as defined in section 414(i) of the Internal
1569 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which
1570 are incidents of employment in addition to the cash remuneration earned.

1571 “(4B) “Participating employee” means an employee who voluntarily agrees to
1572 participate in an employer’s shared work plan.”.

1573 (3) Paragraph (5) is amended to read as follows:

1574 “(5) “Usual weekly hours of work” means the usual hours of work per week for
1575 full-time or part-time employees in the affected unit when that unit is operating on its regular
1576 basis, not to exceed 40 hours and not including hours of overtime work.”.

1577 (4) Paragraph (7) is amended to read as follows:

1578 “(7) “Shared work benefits” means the unemployment benefits payable to a
1579 participating employee in an affected unit under a shared work plan, as distinguished from the
1580 unemployment benefits otherwise payable under the employment security law.”.

1581 (5) Paragraph (8) is amended to read as follows:

1582 “(8) “Shared work plan” means a written plan to participate in the shared work
1583 unemployment compensation program approved by the Director, under which the employer
1584 requests the payment of shared work benefits to participating employees in an affected unit of
1585 the employer to avert temporary or permanent layoffs, or both.”.

1586 (b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

1587 “Sec. 4. Employer participation in the shared work unemployment compensation
1588 program.

1589 “(a) Employer participation in the shared work unemployment compensation program
1590 shall be voluntary.

1591 “(b) An employer that wishes to participate in the shared work unemployment
1592 compensation program shall submit a signed application and proposed shared work plan to the
1593 Director for approval.

1594 “(c) The Director shall develop an application form consistent with the requirements of
1595 this section. The application and shared work plan shall require the employer to:

1596 “(1) Identify the affected unit (or units) to be covered by the shared work plan,
1597 including:

1598 “(A) The number of full-time or part-time employees in such unit;

1599 “(B) The percentage of employees in the affected unit covered by the plan;

1600 “(C) Identification of each individual employee in the affected unit by
1601 name and social security number;

1602 “(D) The employer’s unemployment tax account number, and

1603 “(E) Any other information required by the Director to identify
1604 participating employees;

1605 “(2) Provide a description of how employees in the affected unit will be notified
1606 of the employer’s participation in the shared work unemployment compensation program if such
1607 application is approved, including how the employer will notify those employees in a collective
1608 bargaining unit as well as any employees in the affected unit who are not in a collective
1609 bargaining unit. If the employer will not provide advance notice of the shared work plan to
1610 employees in the affected unit, the employer shall explain in a statement in the application why it
1611 is not feasible to provide such notice;

1612 “(3) Identify the usual weekly hours of work for employees in the affected unit
1613 and the specific percentage by which hours will be reduced during all weeks covered by the plan.
1614 A shared work plan may not reduce participating employees’ usual weekly hours of work by less
1615 than 10% or more than 60%. If the plan includes any week for which the employer regularly
1616 provides no work (due to a holiday or other plant closing), then such week shall be identified in
1617 the application;

1618 “(4) If the employer provides health and retirement benefits to any participating
1619 employee whose usual weekly hours of work are reduced under the plan, certify that such
1620 benefits will continue to be provided to participating employees under the same terms and
1621 conditions as though the usual weekly hours of work of such participating employee had not

1622 been reduced or to the same extent as employees not participating in the shared work plan. For
1623 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be
1624 credited for purposes of participation, vesting, and accrual of benefits as though the participating
1625 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer
1626 contributions to a defined contribution plan that are based on a percentage of compensation may
1627 be reduced due to the reduction in the participating employee’s compensation. A reduction in
1628 health and retirement benefits scheduled to occur during the duration of a shared work plan that
1629 is equally applicable to employees who are not participating in the plan and to participating
1630 employees does not violate a certification made pursuant to this paragraph;

1631 “(5) Certify that the aggregate reduction in work hours under the shared work
1632 plan is in lieu of temporary or permanent layoffs, or both, and provide a good faith estimate of
1633 the number of employees who would be laid off in the absence of the proposed shared work
1634 plan;

1635 “(6) Agree to:

1636 “(A) Furnish reports to the Director relating to the proper conduct of the
1637 shared work plan;

1638 “(B) Allow the Director or the Director’s authorized representatives access
1639 to all records necessary to approve or disapprove the application for a shared work plan;

1640 “(C) Allow the Director to monitor and evaluate the shared work plan; and

1641 “(D) Follow any other directives the Director considers necessary for the
1642 agency to implement the shared work plan consistent with the requirements for shared work plan
1643 applications;

1644 “(7) Certify that participation in the shared work unemployment compensation
1645 program and implementation of the shared work plan will be consistent with the employer’s
1646 obligations under applicable federal and District laws;

1647 “(8) State the duration of the proposed shared work plan, which shall not exceed
1648 365 days from the effective date established pursuant to section 6;

1649 “(9) Provide any additional information or certifications that the Director
1650 determines to be appropriate for purposes of the shared work unemployment compensation
1651 program, consistent with requirements issued by the United States Secretary of Labor; and

1652 “(10) Provide written approval of the proposed shared work plan by the collective
1653 bargaining representative for any employees covered by a collective bargaining agreement who
1654 will participate in the plan.”.

1655 (c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

1656 “Sec. 5. Approval and disapproval of a shared work plan.

1657 “(a)(1) The Director shall approve or disapprove an application for a shared work plan in
1658 writing within 15 calendar days of its receipt and promptly issue a notice of approval or
1659 disapproval to the employer.

1660 “(2) A decision disapproving the shared work plan shall clearly identify the
1661 reasons for the disapproval.

1662 “(3) A decision to disapprove a shared work plan shall be final, but the employer
1663 may submit another application for a shared work plan not earlier than 10 calendar days from the
1664 date of the disapproval.

1665 “(b) Except as provided in subsections (c) and (d) of this section, the Director shall
1666 approve a shared work plan if the employer:

1667 “(1) Complies with the requirements of section 4; and

1668 “(2) Has filed all reports required to be filed under the employment security law
1669 for all past and current periods, and:

1670 “(A) Has paid all contributions and benefit cost payments; or

1671 “(B) If the employer is a reimbursing employer, has made all payments in
1672 lieu of contributions due for all past and current periods.

1673 “(c) Except as provided in subsection (d) of this section, the Director may not approve a
1674 shared work plan:

1675 “(1) To provide payments to an employee if the employee is employed by the
1676 participating employer on a seasonal, temporary, or intermittent basis;

1677 “(2) If the employer's unemployment insurance account has a negative
1678 unemployment experience rating;

1679 “(3) If the employer's unemployment insurance account is taxed at the maximum
1680 tax rate in effect for the calendar year;

1681 “(4) For employers who have not qualified to have a tax rate assigned based on
1682 actual experience; or

1683 “(5) For employees who are receiving or who will receive supplemental
1684 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
1685 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any
1686 period a shared work plan is in effect.

1687 “(d) During the effective period of a shared work plan entered into during a public health
1688 emergency, subsection (c) of this section shall not apply. During a public health emergency, the
1689 Director may not approve a shared work plan:

1690 “(1) To provide payments to an employee if the employee is employed by the
1691 participating employer on a seasonal, temporary, or intermittent basis;

1692 “(2) For employees who are receiving or who will receive supplemental
1693 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
1694 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any
1695 period a shared work plan is in effect; or

1696 “(3) For employers that have reported quarterly earnings to the Director for fewer
1697 than 3 quarters at the time of the application for the shared work unemployment compensation
1698 program.

1699 “(e) For the purposes of this section, the term “public health emergency” means the
1700 public health emergency declared in the Mayor’s order dated March 11, 2020, and any
1701 extensions thereof.”.

1702 (d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

1703 “Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

1704 “(a) A shared work plan shall be effective on the date that is mutually agreed upon by the
1705 employer and the Director, which shall be specified in the notice of approval to the employer.

1706 “(b) The duration of the plan shall be 365 days from the effective date, unless a shorter
1707 duration is requested by employer or the plan is terminated or revoked in accordance with this
1708 section.

1709 “(c) An employer may terminate a shared work plan at any time upon written notice to
1710 the Director, participating employees, and a collective bargaining representative for the
1711 participating employees. After receipt of such notice from the employer, the Director shall issue
1712 to the employer, the appropriate collective bargaining representative, and participating
1713 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared
1714 work plan terminated.

1715 “(d) The Director may revoke a shared work plan at any time for good cause, including:

1716 “(1) Failure to comply with the certifications and terms of the shared work plan;

1717 “(2) Failure to comply with federal or state law;

1718 “(3) Failure to report or request proposed modifications to the shared work plan in
1719 accordance with section 7;

1720 “(4) Unreasonable revision of productivity standards for the affected unit;

1721 “(5) Conduct or occurrences tending to defeat the purpose and effective operation
1722 of the shared work plan;

1723 “(6) Change in conditions on which approval of the plan was based;

1724 “(7) Violation of any criteria on which approval of the plan was based; or

1725 “(8) Upon the request of an employee in the affected unit.

1726 “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written
1727 revocation order to the employer that specifies the reasons for the revocation and the date the
1728 revocation is effective. The Director shall provide a copy of the revocation order to all
1729 participating employees and their collective bargaining representative.

1730 “(f) The Director may periodically review the operation of an employer’s shared work
1731 plan to ensure compliance with its terms and applicable federal and District laws.

1732 “(g) An employer may submit a new application for a shared work plan at any time after
1733 the expiration or termination of a shared work plan.”.

1734 (e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

1735 “Sec. 7. Modification of a shared work plan.

1736 “(a) An employer may not implement a substantial modification to a shared work plan
1737 without first obtaining the written approval of the Director.

1738 “(b)(1) An employer must report, in writing, every proposed modification of the shared
1739 work plan to the Director a least 5 calendar days before implementing the proposed modification.

1740 The Director shall review the proposed modification to determine whether the modification is
1741 substantial. If the Director determines that the proposed modification is substantial, the Director
1742 shall notify the employer of the need to request a substantial modification.

1743 “(2) An employer may request a substantial modification to a shared work plan by
1744 filing a written request with the Director. The request shall identify the specific provisions of the
1745 shared work plan to be modified and provide an explanation of why the proposed modification is
1746 consistent with and supports the purposes of the shared work plan. A modification may not
1747 extend the expiration date of the shared work plan.

1748 “(c)(1) At the Director’s discretion, an employer’s request for a substantial modification
1749 of a shared work plan may be approved if:

1750 “(A) Conditions have changed since the plan was approved; and

1751 “(B) The Director determines that the proposed modification is consistent
1752 with and supports the purposes of the approved plan.

1753 “(2) The Director shall approve or disapprove a request for substantial
1754 modification, in writing, within 15 calendar days of receiving the request and promptly shall
1755 communicate the decision to the employer. If the request is approved, the notice of approval
1756 shall contain the effective date of the modification.”.

1757 (f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

1758 “Sec. 8. Employee eligibility for shared work benefits.

1759 “(a) A participating employee is eligible to receive shared work benefits with respect to
1760 any week only if the individual is monetarily eligible for unemployment compensation, not
1761 otherwise disqualified from unemployment compensation, and:

1762 “(1) With respect to the week for which shared work benefits are claimed, the
1763 participating employee was covered by a shared work plan that was approved prior to that week;

1764 “(2) Notwithstanding any other provision of the employment security law relating
1765 to availability for work and actively seeking work, the participating employee was available for
1766 the individual’s usual hours of work with the shared work employer, which may include
1767 availability to participate in training to enhance job skills approved by the Director, such as
1768 employer-sponsored training or training funded under the Workforce Innovation and Opportunity
1769 Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

1770 “(3) Notwithstanding any other provision of law, a participating employee is
1771 deemed unemployed for the purposes of determining eligibility to receive unemployment

1772 compensation benefits in any week during the duration of such plan if the individual's
1773 remuneration as an employee in an affected unit is reduced under the terms of the plan.

1774 “(b) A participating employee may be eligible for shared work benefits or unemployment
1775 compensation, as appropriate, except that no participating employee may be eligible for
1776 combined benefits in any benefit year in an amount more than the maximum entitlement
1777 established for regular unemployment compensation; nor shall a participating employee be paid
1778 shared work benefits for more than 52 weeks under a shared work plan or in an amount more
1779 than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

1780 “(c) The shared work benefit paid to a participating employee shall be deducted from the
1781 maximum entitlement amount of regular unemployment compensation established for that
1782 individual's benefit year.

1783 “(d) Provisions applicable to unemployment compensation claimants under the
1784 employment security law shall apply to participating employees to the extent that they are not
1785 inconsistent with this act. A participating employee who files an initial claim for shared work
1786 benefits shall receive a monetary determination of whether the individual is eligible to receive
1787 benefits.

1788 “(e) A participating employee who has received all of the shared work benefits or
1789 combined unemployment compensation and shared work benefits available in a benefit year shall
1790 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia
1791 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code
1792 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to

1793 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that
1794 section, shall be eligible to receive extended benefits.

1795 “(f) Shared work benefits shall be charged to employers’ experience rating accounts in
1796 the same manner as unemployment compensation is charged under the employment security law,
1797 unless waived by federal or District law. Employers liable for payments in lieu of contributions
1798 shall have shared work benefits attributed to service in their employ in the same manner as
1799 unemployment compensation is attributed, unless waived by federal or District law.”.

1800 (g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

1801 (1) Subsection (a) is amended to read as follows:

1802 “(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a
1803 participating employee shall be the product of the regular weekly unemployment compensation
1804 amount for a week of total unemployment multiplied by the percentage of reduction in the
1805 participating employee’s usual weekly hours of work.

1806 “(2) The shared work benefit for a participating employee who performs work for
1807 another employer during weeks covered by a shared work plan shall be calculated as follows:

1808 “(A) If the combined hours of work in a week for both employers results
1809 in a reduction of less than 10% of the usual weekly hours of work the participating employee
1810 works for the shared work employer, the participating employee is not eligible for shared work
1811 benefits;

1812 “(B) If the combined hours of work for both employers results in a
1813 reduction equal to or greater than 10% of the usual weekly hours worked for the shared work
1814 employer, the shared work benefit payable to the participating employee is determined by

1815 multiplying the weekly unemployment benefit amount for a week of total unemployment by the
1816 percentage by which the combined hours of work have been reduced. A week for which benefits
1817 are paid under this subparagraph shall be reported as a week of shared work benefits.

1818 “(C) If an individual worked the reduced percentage of the usual weekly
1819 hours of work for the shared work employer and is available for all the participating employee’s
1820 usual hours of work with the shared work employer, and the participating employee did not work
1821 any hours for the other employer, either because of the lack of work with that employer or
1822 because the participating employee is excused from work with the other employer, the
1823 participating employee shall be eligible for the full value of the shared work benefit for that
1824 week.”.

1825 (2) Subsection (b) is repealed

1826 (3) New subsections (c) and (d) are added to read as follows:

1827 “(c) A participating employee who is not provided any work during a week by the shared
1828 work employer or any other employer and who is otherwise eligible for unemployment
1829 compensation shall be eligible for the amount of regular unemployment compensation to which
1830 the individual would otherwise be eligible.

1831 “(d) A participating employee who is not provided any work by the shared work
1832 employer during a week, but who works for another employer and is otherwise eligible for
1833 unemployment compensation may be paid unemployment compensation for that week subject to
1834 the disqualifying income provision and other provisions applicable to claims for regular
1835 unemployment compensation.”.

1836 **SUBTITLE Q. EQUITABLE IMPACT ASSISTANCE FOR LOCAL BUSINESS**

1837 Sec. 2161. Short title.

1838 This subtitle may be cited as the “Equitable Impact Assistance for Local Businesses Act
1839 of 2020”.

1840 Sec. 2162. Definitions.

1841 For the purposes of this subtitle, the term:

1842 (1) “Economically disadvantaged individual” shall have the same meaning as set
1843 forth in section 2302(7) of the Small and Certified Business Enterprise Development and
1844 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
1845 218.02(7).

1846 (2)(A) “Eligible business” means an equity impact enterprise that has \$2 million
1847 or less in annual revenue and certifies in writing that the business is unable to obtain
1848 conventional financing or is a business enterprise that cannot reasonably be expected to qualify
1849 for financing under the standards of commercial lending.

1850 (B) For the purposes of this paragraph, the phrase “unable to obtain
1851 conventional financing” means that the business has attempted but failed in the attempt to obtain
1852 financing from conventional sources.

1853 (3) “Equity impact enterprise” shall have the same meaning as set forth pursuant
1854 to the Small and Certified Business Enterprise Development and Assistance Act of 2005,
1855 effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02 (8A).

1856 (4) “Fund” means the Equity Impact Fund established in section 2163.

1857 (5) “Fund Manager” means a private financial organization selected by the Mayor
1858 pursuant to section 2164.

1859 (6) “Private financial organization” means a partnership, corporation, trust,
1860 limited liability company, Community Development Financial Institution, or a consortium of
1861 partnerships, corporations, trusts, limited liability companies, or Community Development
1862 Financial Institutions, whether organized on a profit or not-for-profit basis, that has as its primary
1863 activity the investment of capital into businesses.

1864 Sec. 2163. Establishment of the Equity Impact Fund.

1865 (a) There is established a fund outside the General Fund of the District of Columbia,
1866 designated as the Equity Impact Fund (“Fund”), which shall be managed by a Fund Manager
1867 selected by the Mayor. The Deputy Mayor for Planning and Economic Development shall
1868 provide, upon selection of the Fund Manager, \$1.25 million in the aggregate in Fiscal Year 2021
1869 for deposit into the Fund (“District’s initial investment”).

1870 (b) The Fund shall be funded by money appropriated for the purposes of the Fund, other
1871 amounts, if any, received by the District or Fund Manager for deposit into the Fund, and any
1872 monies received as gifts, grants, donations, and awards.

1873 (c) The funds in the Fund shall be used solely to:

1874 (1) Facilitate investment in businesses that lack access to capital;

1875 (2) Make investments into eligible businesses based on an investment strategy
1876 determined by the Fund Manager; and

1877 (3) Administer the fund, including the provision of technical assistance to eligible
1878 businesses; provided that no more than 15% of the District’s initial investment may be used
1879 annually for this purpose.

1880 Sec. 2164. Fund Manager selection.

1881 (a) The Mayor shall solicit applications, in a form determined by the Mayor, for the
1882 position of Fund Manager from private financial organizations. The application shall contain
1883 description of:

1884 (1) The qualifications of the applicant, including demonstrable experience in
1885 investing in small business, businesses owned by women or economically disadvantaged
1886 individuals, or in businesses that otherwise meet the definition of, or are similar to, an equity
1887 impact enterprise;

1888 (2) How the applicant will structure the Fund and investment criteria to achieve
1889 the goals and objectives of the Fund;

1890 (3) The ability and plans of the applicant to provide or raise sufficient funds to
1891 provide matching contributions for the Fund;

1892 (4) The ability of the applicant to maintain a sufficient fund balance to administer
1893 the Fund;

1894 (5) The type of businesses to be targeted for priority investment from the Fund;

1895 (6) A demonstrable ability to offer a variety of financing vehicles, including
1896 equity financing, revenue-based financing, royalty financing, and debt financing;

1897 (7) The investment strategies the applicant will employ to achieve the goals and
1898 objectives of the Fund; and

1899 (8) Other criteria that the Mayor considers necessary or appropriate.

1900 (b) An applicant for Fund Manager shall be selected based on a scoring rubric
1901 established by the Mayor; provided, that:

1902 (1) A preference be given to applicants that are at least 51% owned, operated, or
1903 controlled by women or economically disadvantaged individuals; and

1904 (2) If the applicant manages an existing investment fund, the existing fund not
1905 exceed \$100,000,000.

1906 Sec. 2165. Minimum requirements for investment.

1907 (a) The Fund Manager shall source, underwrite, and monitor all investments placed
1908 pursuant to this act. Except as otherwise provided by this act, the Mayor shall not determine the
1909 recipient, amount, interest rate, or any other requirement related to an investment made pursuant
1910 to this act.

1911 (b) The following requirements shall apply to any investment in an eligible basis made
1912 from the Fund using the District's initial investment or proceeds thereof:

1913 (1) The Fund Manager shall begin accepting applications from eligible businesses
1914 seeking investment, on a rolling basis, within 30 days of being selected for the position by the
1915 Mayor.

1916 (2) For the Fund Manager to provide an investment from the Fund, the eligible
1917 business must agree, in writing, to participate in technical assistance training.

1918 (3) The Fund Manager shall establish, for each selected eligible business, a 12-
1919 month individualized business plan. Investments shall be distributed to the eligible business in
1920 installments based upon completion of specific milestones clearly described in the business's

1921 individualized business plan. The individualized business plan shall include technical
1922 assistance, provided at no cost to the business, which shall include education on the
1923 management and scale of a business through live training or guided recorded sessions. All
1924 eligible businesses that receive an investment from the Fund shall be required to participate in at
1925 least 3 months of technical assistance training.

1926 Sec. 2166. Reporting requirements.

1927 The Fund Manager shall submit to the Mayor, on a quarterly basis, a report on the
1928 activities of the Fund. The report shall include, at a minimum:

1929 (1) The aggregate amount of dollars invested in eligible businesses during the
1930 reporting period;

1931 (2) The number of eligible businesses receiving an investment, including the
1932 name and business address for each;

1933 (3) A copy of the individualized business plan for each eligible business,
1934 including a description of the technical assistance training provided; and

1935 (4) The aggregate amount of funds in the Fund and a breakdown of the amount of
1936 the funds in the Fund used for each of the following, with each amount reported as a percentage
1937 of the aggregate amount of the Fund:

1938 (A) The percentage used for technical training assistance;

1939 (B) The percentage used for administration costs; and

1940 (C) The percentage used to compensate the Fund Manager.

1941 Sec. 2167. Recovery of District investment.

1942 The Mayor shall reserve the right to recover the amount of its initial investment into the
1943 Fund and may exercise this right if the Fund Manager does not, within a reasonable period, as
1944 determined by the Mayor, place investments into eligible businesses in an amount equal to the
1945 amount of the District’s initial investment into the Fund.

1946 **SUBTITLE R. AFFORDABLE HOUSING LOAN FUND AUTHORIZATION**

1947 Sec. 2171. Short Title.

1948 This subtitle may be cited as the “Affordable Housing Loan Fund Authorization
1949 Amendment Act of 2020”.

1950 Sec. 2172. The Department of Housing and Community Development is authorized to
1951 submit an application for the program offered by the U.S. Department of Housing and Urban
1952 Development, pursuant to section 108 of the Housing and Community Development Act of
1953 1974, approved August 22, 1974 (88 Stat. 647; 42 U.S.C. § 5308), to provide a gap subsidy
1954 resource source for qualified affordable housing acquisition and rehabilitation projects in Fiscal
1955 Year 2021. For the purposes of this section, ”qualified affordable housing acquisition and
1956 rehabilitation projects” means projects that meet the criteria for the use of money in the Housing
1957 Preservation Fund, established by section 2032 of the Housing Preservation Fund Establishment
1958 Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-325.351), or
1959 the Housing Production Trust Fund, established by section 3 of the Housing Production Trust
1960 Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802).

1961 Sec. 2173. Section 2009(d) of the Department of Housing and Community Development
1962 Unified Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C.
1963 Official Code § 42-2857.01(d)), is amended as follows:

1964 (a) The existing text is redesignated as paragraph (1).

1965 (b) A new paragraph (2) is added to read as follows:

1966 “(2) Costs associated with the application or implementation of projects pursuant
1967 to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, as approved by
1968 the Committee of the Whole on July 7, 2020 (Committee Print of Bill 23-760), shall not be
1969 considered project-delivery costs for purposes of paragraph (1) of this subsection.

1970 Sec. 2174. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective
1971 March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended as follows:

1972 (a) The existing text is redesignated as subparagraph (A).

1973 (b) A new subparagraph (B) is added to read as follows:

1974 “(B) Costs associated with the application or implementation of projects
1975 pursuant to the Affordable Housing Loan Fund Authorization Amendment Act of 2020, as
1976 approved by the Committee of the Whole on July 7, 2020 (Committee Print of Bill 23-760), shall
1977 not be considered administration of the Fund for purposes of paragraph (1) of this subsection.

1978 **SUBTITLE S. RENT STABILIZATION EXTENSION**

1979 Sec. 2181. Short Title.

1980 This subtitle may be cited as the “Rent Stabilization Extension Amendment Act of 2020”.

1981 Sec. 2182. Section 907 of the Rental Housing Act of 1985, effective July 17, 1985
1982 (D.C. Law 6-10; D.C. Official Code § 42-3509.07), is amended by striking the phrase “shall
1983 terminate on December 31, 2020” and inserting the phrase “shall terminate on December 31,
1984 2030” in its place.

1985 **SUBTITLE T. EXPENDITURES FROM THE PUBLIC HOUSING AND**
1986 **STRUCTURAL TRANSFORMATION CAPITAL ACCOUNT**

1987 Sec. 2191. Short title.

1988 This subtitle may be cited as the “Expenditures from the Public Housing and Structural
1989 Transformation Capital Account Act of 2020”.

1990 Sec. 2192. Expenditures from the Public Housing and Structural Transformation capital
1991 account.

1992 (a) The District of Columbia Housing Authority (“Authority”) shall not obligate or
1993 expend any money from capital project DHA00C unless the expenditure, or planned expenditure
1994 in the case of an obligation, is part of a proposed spending plan submitted by the Authority to the
1995 Mayor and thereafter approved by the Mayor. Each proposed spending plan shall also be
1996 submitted by the Authority to the Council for its information.

1997 (b) Each proposed spending plan submitted by the Authority to the Mayor shall include
1998 detailed information on each project for which the Authority proposes to expend funds from
1999 capital project DHA00C. At a minimum, the information provided for a project shall include:

2000 “(1) The proposed location of the project;

2001 “(2) A detailed proposed scope of the project;

2002 “(3) A detailed proposed line-item budget for the project;

2003 “(4) A detailed proposed timeline for the project;

2004 “(5) A statement of whether the implementation of the proposed project will
2005 require the relocation of tenants and, if such relocation is required, a detailed proposed relocation
2006 plan.

2007 (c)(1) For each solicitation of a contract valued at \$100,000 or more that is funded with
2008 money from capital project DHA00C, the Authority shall:

2009 (A) Award preferences to certified business enterprises as provided in
2010 section 2343 of the Small and Certified Business Enterprise Development and Assistance Act of
2011 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.43); and

2012 (B) Exercise its contracting and procurement authority for contracts
2013 funded by capital project DHA00C so as to meet, on an annual basis, the goals of procuring and
2014 contracting at least 50% of the dollar volume of such contracts (the “CBE dollar volume”) with
2015 certified business enterprises and at least 50% of the CBE dollar volume with small business
2016 enterprises.

2017 (2) For the purposes of this subsection, the term:

2018 (A) “Certified business enterprise” shall have the meaning set forth in
2019 section 2302(1D) of the Small and Certified Business Enterprise Development and Assistance
2020 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(1D)).

2021 (B) “Small business enterprise” shall have the meaning set forth in section
2022 2302(16) of the Small and Certified Business Enterprise Development and Assistance Act of
2023 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.02(16)).

2024 **TITLE III. PUBLIC SAFETY AND JUSTICE**

2025 **SUBTITLE A. CRIMINAL CODE REFORM COMMISSION**

2026 Sec. 3001. Short title.

2027 This subtitle may be cited as the “Criminal Code Reform Commission Amendment Act of
2028 2020”.

2029 Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective
2030 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

2031 (a) Section 3122(c)(1) (D.C. Official Code § 3-151(c)(1)) is amended by striking the phrase
2032 “, or until the Commission is dissolved pursuant to section 3127, and” and inserting the phrase “,
2033 and” in its place.

2034 (b) Section 3123 (D.C. Official Code § 3-152) is amended as follows:

2035 (1) The section heading is amended to read as follows:

2036 “Sec. 3123. Duties of the Criminal Code Reform Commission.”.

2037 (2) The lead-in language of subsection (a) is amended by striking the phrase “By
2038 September 30, 2020” and inserting the phrase “By March 31, 2021” in its place.

2039 (3) Subsection (d) is amended by striking the phrase “provide, upon request by the
2040 Council, a legal analysis of proposed legislation concerning criminal offenses, including” and
2041 inserting the phrase “provide, upon request by the Council or on its own initiative, a legal or
2042 policy analysis of proposed legislation or best practices concerning criminal offenses,
2043 procedures, or reforms, including” in its place.

2044 (4) Subsection (e) is amended by striking the phrase “regarding criminal code
2045 reform to advance” and inserting the phrase “to advance” in its place.

2046 (c) The lead-in language of section 3124(a) (D.C. Official Code § 3-153(a)) is amended
2047 by striking the phrase “section 3123” and inserting the phrase “section 3123(a)” in its place.

2048 (d) Section 3125 (D.C. Official Code § 3-154) is amended as follows:

2049 (1) Subsection (a) is amended by striking the phrase “The Commission” and
2050 inserting the phrase “Until March 31, 2021, the Commission” in its place.

2051 (2) Subsection (b) is amended by striking the phrase “The Commission shall file
2052 an annual report with the Council before March 31 of each year” and inserting the phrase
2053 “Before March 31, 2021, the Commission shall file a report with the Council” in its place.

2054 (3) A new subsection (c) is added to read as follows:

2055 “(c) Before March 31, 2022, and annually thereafter, the Commission shall file an annual
2056 report with the Council of its activities during the previous calendar year.”.

2057 (e) Section 3127 (D.C. Official Code § 3-156) is repealed.

2058 **SUBTITLE B. RESTORATIVE JUSTICE COLLABORATIVE**

2059 Sec. 3011. Short title.

2060 This subtitle may be cited as the “Restorative Justice Collaborative Amendment Act of
2061 2020”.

2062 Sec. 3012. The Neighborhood Engagement Achieves Results Amendment Act of 2016,
2063 effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as
2064 follows:

2065 (a) Section 101 (D.C. Official Code § 7-2411) is amended as follows:

2066 (1) Subsection (a) is amended as follows:

2067 (A) Paragraph (2) is amended by striking the phrase “; and” and inserting
2068 a semicolon in its place.

2069 (B) Paragraph (3) is amended by striking the period and inserting the
2070 phrase “; and” in its place.

2071 (C) A new paragraph (4) is added to read as follows:

2072 “(4) The Restorative Justice Collaborative, which shall serve as a centralized hub
2073 to coordinate and foster restorative justice programming and practices within the District
2074 government and by and in partnership with District community-based organizations.”.

2075 (2) Subsection (b) is amended as follows:

2076 (A) Paragraph (5) is amended by striking the phrase “; and” and inserting
2077 a semicolon in its place.

2078 (B) Paragraph (6) is amended by striking the period and inserting the
2079 phrase “; and” in its place.

2080 (C) A new paragraph (7) is added to read as follows:

2081 “(7) Coordinating and fostering restorative justice programming and practices
2082 within the District government and by and in partnership with District community-based
2083 organizations, with a focus on the 18-to-35-year old population.”.

2084 (b) Section 102(a)(3) (D.C. Official Code § 7-2412(a)(3)) is amended by striking the
2085 phrase “programming; and” and inserting the phrase “and restorative justice programming; and”
2086 in its place.

2087 **SUBTITLE C. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT**

2088 Sec. 3021. Short title.

2089 This subtitle may be cited as the “Emergency Medical Services Transport Contract
2090 Authority Amendment Act of 2020”.

2091 Sec. 3022. Section 3073 of the Emergency Medical Services Transport Contract Authority
2092 Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is

2093 amended by striking the phrase “September 30, 2021” and inserting the phrase “September 30,
2094 2023” in its place.

2095 **SUBTITLE D. SENIOR POLICE OFFICERS PROGRAM**

2096 Sec. 3031. Short title.

2097 This subtitle may be cited as the “Senior Police Officers Retention Amendment Act of
2098 2020”.

2099 Sec. 3032. Section 2(h)(1) of the Retired Police Officer Redeployment Amendment Act
2100 of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761(h)(1)), is
2101 amended by striking the date “October 1, 2020” and inserting the date “October 1, 2023” in its
2102 place.

2103 **SUBTITLE E. OFFICE ON RETURNING CITIZEN AFFAIRS**

2104 Sec. 3041. Short title.

2105 This subtitle may be cited as the “Moving the Office on Returning Citizen Affairs
2106 Amendment Act of 2020”.

2107 Sec. 3042. Section 3022 of the Office of the Deputy Mayor for Public Safety and Justice
2108 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2109 1-301.191), is amended as follows:

2110 (a) Subsection (c) is amended as follows:

2111 (1) Paragraph (1) is amended to read as follows:

2112 “(1) Be responsible for providing guidance and support to, and coordination of,
2113 public safety, justice, and returning citizen agencies within the District of Columbia government,
2114 including the Office on Returning Citizen Affairs, established by section 3 of the Office on Ex-

2115 Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of
2116 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1302);”.

2117 (2) Paragraph (2) is amended to read as follows:

2118 “(2) Ensure accountability through general oversight over public safety, justice,
2119 and returning citizen agencies, as well as the programs under the jurisdiction of the Office;”.

2120 (3) Paragraph (3) is amended by striking the phrase “public-safety and justice
2121 services” and inserting the phrase “public safety, justice, and returning citizen services” in its
2122 place.

2123 (4) Paragraph (4) is amended by striking the phrase “criminal justice or public-
2124 safety issues, in the coordination, planning, and implementation of public-safety and justice
2125 matters” and inserting the phrase “public safety, justice, or returning citizen issues, in the
2126 coordination, planning, and implementation of public safety, justice, and returning citizen
2127 matters” in its place.

2128 (5) Paragraph (5) is repealed.

2129 (b) A new subsection (e) is added to read as follows:

2130 “(e) For the purposes of this section, the term “returning citizens” shall have the same
2131 meaning as provided in section 2(5) of the Office on Ex-Offender Affairs and Commission on
2132 Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C.
2133 Law 16-243; D.C. Official Code § 24-1301(5)).”.

2134 **SUBTITLE F. CONCEALED PISTOL LICENSING REVIEW BOARD**

2135 Sec. 3051. Short title.

2136 This subtitle may be cited as the “Concealed Pistol Licensing Review Board Membership
2137 Amendment Act of 2020”.

2138 Sec. 3052. Section 908 of the Firearms Control Regulations Act of 1975, effective June 16,
2139 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), is amended as follows:

2140 (a) Subsection (b)(1) is amended as follows:

2141 (1) The lead-in language is amended by striking the phrase “7 members” and
2142 inserting the phrase “11 members” in its place.

2143 (2) Subparagraph (D) is amended by striking the semicolon and inserting the
2144 phrase “; and” in its place.

2145 (3) Subparagraph (E) is amended as follows:

2146 (A) The lead-in language is amended by striking the phrase “Three public”
2147 and inserting the phrase “Seven public” in its place.

2148 (B) Sub-subparagraph (i) is amended by striking the phrase “; and” and
2149 inserting a semicolon in its place.

2150 (C) Sub-subparagraph (ii) is amended by striking the period and inserting
2151 a semicolon in its place.

2152 (D) New sub-subparagraphs (iii), (iv), and (v) are added to read as
2153 follows:

2154 “(iii) Two District residents with professional experience in the
2155 field of gun violence prevention;

2156 “(iv) One District resident with professional experience in the field
2157 of victim services or advocacy; and

2158 “(v) One District resident attorney in good standing with the
2159 District of Columbia Bar with professional experience in criminal law.”.

2160 (b) Subsection (c) is amended by striking the phrase “section. Each hearing panel shall
2161 contain at least one member designated by subsection (b)(1)(A), (B), or (D) of this section.” and
2162 inserting the phrase “section.” in its place.

2163 **SUBTITLE G. LITIGATION SUPPORT FUND AND GRANT-MAKING**

2164 **AUTHORITY**

2165 Sec. 3061. Short title.

2166 This subtitle may be cited as the “Litigation Support Fund and Grant-Making Authority
2167 Amendment Act of 2020”.

2168 Sec. 3062. The Attorney General for the District of Columbia Clarification and Elected
2169 Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-160; D.C. Official Code §
2170 1-301.81 *et seq.*), is amended as follows:

2171 (a) Section 106b (D.C. Official Code § 1-301.86b) is amended as follows:

2172 (1) Subsection (c) is amended as follows:

2173 (A) Paragraph (1)(B) is amended by striking the phrase “Funding staff
2174 positions, up to a maximum amount of \$4 million” and inserting the phrase “Funding staff
2175 positions, personnel costs, and employee retirement and separation incentives, up to a maximum
2176 amount of \$6 million” in its place.

2177 (B) Paragraph (2) is amended to read as follows:

2178 “(2) Beginning in Fiscal Year 2020, up to \$7 million deposited into the Fund each
2179 fiscal year may be used for the purposes of crime reduction, violence interruption, and other
2180 public safety initiatives.”.

2181 (C) A new paragraph (3) is added to read as follows:

2182 “(3) In Fiscal Year 2021, the first \$500,000 deposited into the Fund shall be
2183 transferred to the Office of Victim Services and Justice Grants for victim services grants.”.

2184 (2) Subsection (d)(3) is amended as follows:

2185 (A) Subparagraph (A) is amended by striking the phrase “\$10 million”
2186 both times it appears and inserting the phrase “\$17 million” in its place.

2187 (B) Subparagraph (B) is amended by striking the phrase “\$11.6 million in
2188 the Fund until September 30, 2020” and inserting the phrase “\$19.1 million in the Fund until
2189 September 30, 2021” in its place.

2190 (3) A new subsection (f) is added to read as follows:

2191 “(f) Notwithstanding any other provision of this section, \$12,039,659.91 of the amount to
2192 be received by the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto*
2193 *Co.*, Superior Court Case No. 2020 CA 002445 B, shall be deposited in the Fund and allocated as
2194 follows:

2195 “(1) \$7,339,659.91 shall be paid in attorney’s fees and costs to May Firm/EKM
2196 Association on PCBs for legal services received pursuant to Contract No. DCCB-2019-C-0008;
2197 and

2198 “(2) \$4,700,000 shall be used for the authorized purposes of the Fund pursuant to
2199 subsection (c) of this section.”.

2200 (b) Section 108c (D.C. Official Code § 1-301.88f) is amended as follows:

2201 (1) The section heading is amended by striking the phrase “reduction and violence
2202 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims
2203 of crime and other vulnerable residents” in its place.

2204 (2) Subsection (a) is amended by striking the phrase “reduction and violence
2205 interruption” and inserting the phrase “reduction, violence interruption, and assistance to victims
2206 of crime and other categories of vulnerable residents served by the Office of the Attorney
2207 General, including seniors, children, individuals protected from discrimination under the Human
2208 Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-
2209 1401.01 *et seq.*), and individuals previously involved in the criminal justice system” in its place.

2210 **SUBTITLE H. CHIEF OF POLICE TERM OF OFFICE**

2211 Sec. 3071. Short title.

2212 This subtitle may be cited as the “Chief of Police Term of Office Amendment Act of
2213 2020”.

2214 Sec. 3072. Section 1 of An Act Relating to the Metropolitan police of the District of
2215 Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01), is
2216 amended by adding a new subsection (e) to read as follows:

2217 “(e)(1) Effective May 2, 2017, the term of office for Chief of Police shall be 4 years,
2218 except that the Mayor may earlier terminate a Chief of Police with or without cause during that
2219 Chief of Police’s term of office.

2220 “(2) In the event a Chief of Police leaves office prior to the expiration of a 4-year
2221 term, the successor Chief nominated by the Mayor and confirmed by the Council shall serve a

2222 new 4-year term of office, subject to removal during that term by the Mayor in accordance with
2223 paragraph (1) of this subsection.”.

2224 **SUBTITLE I. MONSANTO SETTLEMENT ALLOCATION**

2225 Sec. 3081. Short title.

2226 This subtitle may be cited as the “Monsanto Settlement Act of 2020”.

2227 Sec. 3082. Notwithstanding any other provision of law, the \$52 million to be received by
2228 the District in Fiscal Year 2021 in settlement of *District of Columbia v. Monsanto Co.*, Superior
2229 Court of the District of Columbia Case No. 2020 CA 002445 B, shall be recognized as revenue
2230 and allocated as follows:

2231 (1) \$7,339,659.91 shall be deposited in the Litigation Support Fund,
2232 established pursuant to section 106b of the Attorney General for the District of Columbia
2233 Clarification and Elected Term Amendment Act of 2010, effective May 27, 2010 (D.C. Law 18-
2234 160; D.C. Official Code § 1-301.86b) (“Litigation Support Fund”), to pay attorney’s fees and
2235 costs to May Firm/EKM Association on PCBs for legal services received pursuant to Contract
2236 No. DCCB-2019-C-0008;

2237 (2) \$4,700,000 shall be deposited into the Litigation Support Fund and
2238 used for the authorized purposes of that Fund; and

2239 (3) \$39,960,340.09 shall be deposited as local funds into the General Fund
2240 and shall be made available as set forth in the approved Fiscal Year 2021 Budget and Financial
2241 Plan.

2242 **SUBTITLE J. ETHICS ENFORCEMENT**

2243 Sec. 3091. Short title.

2244 This subtitle may be cited as the “Ethics Enforcement Amendment Act of 2020”.

2245 Sec.3092. The Board of Ethics and Government Accountability Establishment and
2246 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-
2247 124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

2248 (a) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

2249 (1) Subsection (a) is amended as follows:

2250 (A) Paragraph (2) is amended by striking the phrase “the United States
2251 Attorney for the District of Columbia for enforcement or prosecution;” and inserting the phrase
2252 “the prosecutorial authority with jurisdiction for enforcement or prosecution; or” in its place.

2253 (B) Paragraph (3) is repealed.

2254 (2) Subsection (b) is amended to read as follows:

2255 “(b) The Board may refer information concerning an alleged violation of the Code of
2256 Conduct or of this title to the prosecutorial authority with jurisdiction for enforcement or
2257 prosecution after the presentation of evidence by the Director of Government Ethics to the Board
2258 as provided in section 212(b), 213(e), or 214(a).”.

2259 (b) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

2260 (1) Subsection (b) is amended as follows:

2261 (A) Paragraph (1) is amended by striking the phrase “not more than
2262 \$25,000” and inserting the phrase “not more than \$5,000” in its place.

2263 (B) A new paragraph (1A) is added to read as follows:

2264 “(1A) The fine set forth in paragraph (1) of this subsection shall not be limited by
2265 section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11,
2266 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01).”.

2267 (C) Paragraph (2) is amended to read as follows:

2268 “(2) Prosecutions of violations of this subsection shall be brought by the Attorney
2269 General of the District of Columbia.”.

2270 (D) A new paragraph (3) is added to read as follows:

2271 “(3) For the purposes of this subsection and section 222(a), violations of the
2272 following provisions of the Code of Conduct substantially threaten the public trust:

2273 “(A) Section 223; and

2274 “(B) Section 416 of the Procurement Practices Reform Act of 2010,
2275 effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.16).”.

2276 (2) Subsection (d) is amended by striking the phrase “the Board, the Attorney
2277 General of the District of Columbia, or of the United States Attorney for the District of
2278 Columbia” and inserting the phrase “the Board or the Attorney General of the District of
2279 Columbia” in its place.

2280 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2281 **SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA INCREASE**

2282 Sec. 4001. Short title.

2283 Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public
2284 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code §
2285 38-2901 *et seq.*), is amended as follows:

2286 (a) Section 104(a) (D.C. Official Code § 38-2903(a)) is amended by striking the phrase
 2287 “\$10,980 per student for Fiscal Year 2020” and inserting the phrase “\$11,310 per student for
 2288 Fiscal Year 2021” in its place.

2289 (b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array
 2290 and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2021
“Pre-Kindergarten 3	1.34	\$15,155
“Pre-Kindergarten 4	1.30	\$14,703
“Kindergarten	1.30	\$14,703
“Grades 1-5	1.00	\$11,310
“Grades 6-8	1.08	\$12,215
“Grades 9-12	1.22	\$13,798
“Alternative program	1.445	\$16,343
“Special education school	1.17	\$13,233
“Adult	0.89	\$10,066

2291 (c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:
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2293 “(c) The supplemental allocations shall be calculated by applying weightings to the
 2294 foundation level as follows:

2295 “Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021

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“Level 1: Special Education	Eight hours or less per school week of specialized services	0.97	\$10,971
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$13,572
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$22,281
“Level 4: Special Education	More than 24 hours per school week of specialized services, which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$39,472
“Special Education Compliance Funding	Weighting provided in addition to special education level add-on weightings on a per-student basis for special education compliance.	0.099	\$1,120
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$1,007
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$18,888

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“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“ELL	Additional funding for English Language Learners	0.49	\$5,542
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level	0.2256	\$2,552

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“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.37	\$4,185
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.34	\$15,155
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$32,686
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited- and non-English-proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.89	\$32,686
“LEP/NEP - Residential	Additional funding to support the after-hours limited- and non-English-proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$7,555

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2301 “Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated
 2302 in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2021
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$713
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,567
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,553

2303
 2304 (d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal
 2305 Year 2022” and inserting the phrase “Fiscal Year 2024” in its place.

2306 **SUBTITLE B. EDUCATION FACILITY COLOCATION**

2307 Sec. 4011. Short title.

2308 This subtitle may be cited as the “Education Facility Colocation Amendment Act of
 2309 2020”.

2310 Sec. 4012. Section 3422 of the Public School and Public Charter School Facilities
2311 Sharing Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 38-
2312 1831.01), is amended as follows:

2313 (a) Subsection (a) is amended to read as follows:

2314 “(a) The District of Columbia Public Schools (“DCPS”) system may allow existing
2315 public charter schools that are chartered pursuant to the District of Columbia School Reform Act
2316 of 1995, approved April 26, 1996 (110 Stat. 1321-115; D.C. Official Code 38-1802.01 *et seq.*),
2317 to utilize space in DCPS facilities, for a period not greater than 15 years, where such facilities are
2318 currently or are projected to be underutilized.”.

2319 (b) Subsection (b) is amended as follows:

2320 (1) Paragraphs (1) and (2) are amended to read as follows:

2321 “(1) As payment for the space allocation, the public charter school shall pay to
2322 DCPS an amount agreeable to the charter school and DCPS.

2323 “(2) The amount of payment shall be agreed upon before relocation of any public
2324 charter school into a DCPS facility.”.

2325 (2) Paragraph (3) is repealed.

2326 (c) Subsection (c) is amended by striking the phrase “Board of Education shall” and
2327 inserting the phrase “Mayor may” in its place.

2328 (d) A new subsection (d) is added to read as follows:

2329 “(d)(1) There is established as a special fund the DCPS School Facility Colocation Fund
2330 (“Fund”), which shall be administered by DCPS in accordance with paragraph (3) of this
2331 subsection.

2332 “(2) All payments received from public charter schools under this section shall be
2333 deposited in the Fund.

2334 “(3) Money in the Fund shall be used for the following purposes:

2335 “(A) To fund additional school programming, supplemental staff, special
2336 initiatives, and other activities and programs at DCPS schools in which charter schools are
2337 collocated; and

2338 “(B) For maintenance of, or improvements to, DCPS schools in which
2339 charter schools are collocated.

2340 “(4)(A) The money deposited into the Fund but not expended in a fiscal year shall
2341 not revert to the unassigned fund balance of the General Fund of the District of Columbia at the
2342 end of a fiscal year, or at any other time.

2343 “(B) Subject to authorization in an approved budget and financial plan,
2344 any funds appropriated in the Fund shall be continually available without regard to fiscal year
2345 limitation.”.

2346 (e) A new subsection (e) is added to read as follows:

2347 “(e) Any funds received by a DCPS school pursuant to this section shall be supplemental
2348 to any funds budgeted for the school from the Uniform Per Student Funding Formula or other
2349 fund source. A school’s school-based budget shall not be reduced based on funds received
2350 pursuant to this section.”.

2351 **SUBTITLE C. CHILD CARE GRANTS**

2352 Sec. 4021. Short title.

2353 This subtitle may be cited as the “Grantmaking Authority to Expand Access to Quality
2354 Child Care Amendment Act of 2020”.

2355 Sec. 4022. Child care grantmaking authority.

2356 Section 3(b) of the State Education Office Establishment Act of 2000, effective October
2357 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended as follows:

2358 (a) Paragraph (30) is amended by striking the phrase “; and” and inserting a semicolon in
2359 its place.

2360 (b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and”
2361 in its place.

2362 (c) A new paragraph (32) is added to read as follows:

2363 “(32) Have the authority to issue grants, from funds under its administration, to
2364 non-profit and community-based organizations to increase access to, the affordability of, and the
2365 quality of child care in the District.”.

2366 **SUBTITLE D. UNIVERSITY OF THE DISTRICT OF COLUMBIA**

2367 **FUNDRAISING MATCH**

2368 Sec. 4031. Short title.

2369 This subtitle may be cited as the “University of the District of Columbia Fundraising
2370 Match Act of 2020”.

2371 Sec. 4032. (a) In Fiscal Year 2021, of the funds allocated to the Non-Departmental
2372 agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the
2373 District of Columbia (“UDC”) to match dollar-for-dollar the amount UDC raises from private
2374 donations by April 1, 2021.

2375 (b) Of the amount transferred to UDC pursuant to subsection (a) of this section, no less
2376 than one-third of the funds shall be deposited into UDC’s endowment fund.

2377 **SUBTITLE E. ADULT AND RESIDENTIAL PUBLIC CHARTER SCHOOL**
2378 **STABLIZATION**

2379 Sec. 4041. Short title.

2380 This subtitle may be cited as the “Adult and Residential Public Charter School Funding
2381 Stabilization Amendment Act of 2020”.

2382 Sec. 4042. Section 107b of the Uniform Per Student Funding Formula for Public Schools
2383 and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective
2384 March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2906.02) is amended to add a new
2385 subsection (c-1) to read as follows:

2386 “(c-1)(1) Notwithstanding subsections (b), (c), (d), and (g) of this section, for School
2387 Year 2020-2021, each adult public charter school’s and each residential public charter school’s
2388 annual payment pursuant to the Funding Formula shall equal the total estimated costs for the
2389 number of District resident students projected to be enrolled in that public charter school during
2390 School Year 2020-2021, including the costs of all add-on components provided in sections 106
2391 and 106a, based on the school’s enrollment projections contained in the Mayor’s Fiscal Year
2392 2021 proposed budget, as modified pursuant to section 107(e).

2393 “(2)(A) The July 15 payment shall be 35% of a school’s annual payment.

2394 “(B) A school’s October 25, January 15, and April 15 payments
2395 shall each equal 1/3 of the school’s total remaining annual payment after the July 15 payment is
2396 made.”.

2397 “(3) For the purposes of this subsection, the term:

2398 “(A) “Adult public charter school” means a public charter school that
2399 provides adult education as defined in section 102(1) of the Uniform Per Student Funding
2400 Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999
2401 (D.C. Law 12-207; D.C. Official Code § 38-2901(1)).

2402 “(B) “Residential public charter school” means a public charter school
2403 that, during School Year 2019-2020, provided a majority of its students with room and board in a
2404 residential setting, in addition to their instructional program.”.

2405 **SUBTITLE F. SCHOOL FINANCIAL TRANSPARENCY**

2406 Sec. 4051. Short title.

2407 This subtitle may be cited as the “School Financial Transparency Amendment Act of
2408 2020”.

2409 Sec. 4052. Section 201 of the Department of Education Establishment Act of 2007,
2410 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-191), is amended as follows:

2411 (a) Subsection (b) is amended as follows:

2412 (1) Paragraph (8) is amended by striking the phrase “; and” and inserting a
2413 semicolon in its place.

2414 (2) Paragraph (9) is amended by striking the period and inserting the phrase “;
2415 and” in its place.

2416 (3) A new paragraph (10) is added to read as follows:

2417 “(10)(A) By May 31, 2021, establish common financial reporting standards for
2418 the non-capital budgets and expenditures of District of Columbia Public Schools and public
2419 charter schools. The common financial reporting standards shall:

2420 “(i) Include categories for reporting budgets and expenditures for
2421 instructional staff, school administrators, instructional supports, educational materials, and non-
2422 educational administrative costs;

2423 “(ii) Permit meaningful and accurate budget and expenditure
2424 comparisons, including comparisons of budgets and expenditures for at-risk students, as defined
2425 in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public
2426 Charter Schools Act of 1998, October 1, 2002 (D.C. Law 12-207; D.C. Official Code § 38-
2427 2901(2A)), between all public schools and between all local education agencies;

2428 “(iii) Ensure full and accurate disclosure of administrative costs for
2429 each local education agency; and

2430 “(iv) Make it possible to collect comparable data by school
2431 campus.

2432 “(B) For the purposes of this paragraph, the term:

2433 “(i) “Local education agency” means the District of Columbia Public
2434 Schools system or any individual or group of public charter schools operating under a single
2435 charter.

2436 “(ii) “Public schools” includes public charter schools.”.

2437 (b) A new subsection (f) is added to read as follows:

2438 “(f)(1) To support the establishment of common financial reporting standards required
2439 pursuant to subsection (b)(10) of this section, the Deputy Mayor for Education may issue grants
2440 not to exceed \$200,000, in Fiscal Year 2021.

2441 (2) Grants issued pursuant to this subsection shall be administered pursuant to the
2442 requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013
2443 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*)”.

2444 Sec. 4053. Section 3(b) of the State Education Office Establishment Act of 2000,
2445 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by
2446 adding a new paragraph (3A) to read as follows:

2447 “(3A) Beginning in May 2024, and annually thereafter, electronically publish for
2448 each public school and public charter school the previous school year’s expenditures, based on
2449 the common financial reporting standards established by the Department of Education pursuant
2450 to section 201(b)(10) of the Department of Education Establishment Act of 2007, effective
2451 November 13, 2003 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(10)), in a manner that
2452 permits the public to easily compare expenditures between individual schools and between local
2453 education agencies.”.

2454 Sec. 4054. Section 6 of the Board of Education Continuity and Transition Amendment
2455 Act of 2004, effective March 21, 2009 (D.C. Law 15-211; D.C. Official Code § 38-2831), is
2456 amended as follows:

2457 (a) Subsection (b) is amended as follows:

2458 (1) Paragraph (1) is amended to read as follows:

2459 “(1) All funds budgeted for each school, including a summary statement or table
2460 of the local-funds budget for each school, by revenue source for activities and service levels, and
2461 by revenue source for comptroller source group by activities and service levels;”

2462 (2) Paragraph (2) is amended by striking the phrase “; and” and inserting a
2463 semicolon in its place.

2464 (3) Paragraph (3)(B) is amended by striking the period and inserting a semicolon
2465 in its place.

2466 (4) New paragraphs (4) and (5) are added to read as follows:

2467 “(4) The methodology used to determine each school’s local funding; and

2468 “(5) For each school’s individual budget, a separate budget line item for funding
2469 allocated to at-risk students, as defined in section 102(2A) of the Uniform Per Student Funding
2470 Formula for Public Schools and Public Charter Schools Act of 1998, October 1, 2002 (D.C. Law
2471 12-207; D.C. Official Code § 38-2901(2A)), as coded in the District’s current official financial
2472 system of record.”.

2473 (b) A new subsection (g) is added to read as follows:

2474 “(g) By December 1, 2023, and annually thereafter, the Mayor shall transmit a report of
2475 the previous school year’s actual expenditures, for each school, to the Office of the State
2476 Superintendent of Education. The report shall conform to the common financial reporting
2477 standards established by the Department of Education pursuant to section 201(b)(10) of the
2478 Department of Education Establishment Act of 2007, effective November 13, 2003 (D.C. Law
2479 13-176; D.C. Official Code § 38-2602(b)(10)).”.

2480 (b) A new section 6a is added to read as follows:

2481 “Sec. 6a. District of Columbia Public Schools school-level budget model.

2482 “(c) As part of the District of Columbia Public Schools’ (“DCPS”) regular multi-year
2483 strategic planning and goal setting, DCPS shall include, and make publicly available, an analysis

2484 of the model used to determine school-level budgets for DCPS schools. The analysis shall
2485 include the following:

- 2486 (1) A summary of DCPS costs, including personnel costs;
2487 (2) Research in education and education finance;
2488 (3) A discussion of budget alignment with DCPS priorities; and
2489 (4) Recommendations for changes, if applicable.”.

2490 Sec. 4055. Section 106a of the Uniform Per Student Funding Formula for Public Schools
2491 and Public Charter Schools Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-
2492 270; D.C. Official Code § 38-2905.01), is amended by adding a new subsection (d) to read as
2493 follows:

2494 “(d) Beginning December 31, 2023, and annually thereafter, every local education agency
2495 that is allocated funds pursuant to this section shall provide OSSE with data related to
2496 expenditures of such funds consistent with reporting standards established by the Department of
2497 Education pursuant to section 201(b)(10) of the Department of Education Establishment Act of
2498 2007, effective November 13, 2003 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(10)).”.

2499 Sec. 4056. The District of Columbia School Reform Act of 1995, approved April 26,
2500 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.01 *et seq.*), is amended as follows:

2501 (a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)), is amended by adding a new
2502 paragraph (22) to read as follows:

2503 “(22) *School expenditures and budgets.* — (A) Beginning July 29, 2022, and
2504 annually thereafter, the Board of Trustees of each public charter school shall prepare and submit

2505 to the Public Charter School Board and OSSE, for each campus under its control, the following
2506 data:

2507 “(i) Actual expenditures for the prior school year;

2508 “(ii) The current school year’s budget; and

2509 “(iii) A draft budget for the following school year.

2510 “(B) The data submitted pursuant to subparagraph (A) of this paragraph
2511 shall conform to the common financial reporting standards established by the Department of
2512 Education pursuant to section 201(b)(10) of the Department of Education Establishment Act of
2513 2007, effective November 13, 2003 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(10)).

2514 “(C) The Public Charter School Board shall electronically publish the data
2515 it receives pursuant to subparagraph (A) of this paragraph in a uniform manner for each school
2516 by November 1 each year.”.

2517 (b) Section 2205 (D.C. Official Code § 38-1802.05) is amended by adding a new
2518 subsection (e) to read as follows:

2519 “(e) *Open meetings*. — All meetings of a Board of Trustees shall be subject to
2520 the requirements of the Open Meetings Amendment Act of 2010, effective March 31, 2011 (D.C.
2521 Law 18-614; D.C. Official Code § 2-571 *et seq.*).”.

2522 Sec. 4057. The Open Meetings Amendment Act of 2010, effective March 31, 2011 (D.C.
2523 Law 18-614; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

2524 (a) Section 404(3) (D.C. Law 18-350; D.C. Official Code § 2-574(3)) is amended as
2525 follows:

2526 (1) The lead-in language is amended by striking the phrase “agency, or” and
2527 inserting the phrase “agency, the board of trustees of a public charter school, or” in its place.

2528 (2) Subparagraph (C) is repealed.

2529 (b) Section 405(b) (D.C. Official Code § 2-575(b)) is amended as follows:

2530 (1) Paragraph (10) is amended by striking the semicolon and inserting the phrase
2531 “, or of public charter school personnel, where the public body is the board of trustees of a public
2532 charter school;” in its place.

2533 (2) Paragraph (13) is amended by striking the phrase “; and” and inserting a
2534 semicolon in its place.

2535 (3) Paragraph (14) is amended by striking the period and inserting a semicolon in
2536 its place.

2537 (4) New paragraphs (15) and (16) are added to read as follows:

2538 “(15) To discuss matters involving personally identifiable information of students;
2539 and

2540 “(16) When the public body is the board of trustees for a public charter school:

2541 “(A) To discuss information related to the operation of a public charter
2542 school; provided, that a meeting may not be closed to discuss matters related to the approval of
2543 the public charter school’s annual budget or matters related to whether to open or close a public
2544 charter school or campus or to expand the public charter school’s program; or

2545 “(B) To meet with the staff of an eligible chartering authority.”.

2546 (c) Section 406(3) (D.C. Official Code § 2-576(3)) is amended by striking the phrase
2547 “subsection, notice” and inserting the phrase “except for boards of trustees for public charter
2548 schools,” in its place.

2549 (d) Section 408(b)(1) (D.C. Official Code § 2-578(b)(1)) is amended by striking the
2550 period and inserting the phrase “, or in the case of a board of trustees for a public charter school,
2551 no later than 30 business days after the meeting.”.

2552 **SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION**

2553 Sec. 4061. Short title.

2554 This subtitle may be cited as the “Healthy Schools Fund Restoration Amendment Act of
2555 2020”.

2556 Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27, 2010
2557 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f), is amended by striking the
2558 phrase “Beginning on October 1, 2019, an amount of \$5,110,000” and inserting
2559 the phrase “Beginning on October 1, 2020, an amount of \$5,590,000” in its place.

2560 **SUBTITLE H. WILKINSON SCHOOL DISPOSITION PROCESS**

2561 Sec. 4071. Short title.

2562 This subtitle may be cited as the “Wilkinson School Disposition Process Amendment Act
2563 of 2020”.

2564 Sec. 4072. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995,
2565 approved April 26, 1996 (110 Stat. 1321-125; D.C. Official Code § 38-1802.09(b)(1)), is
2566 amended by adding a new subparagraph (B-ii) to read as follows:

2567 “(B-ii) Notwithstanding subparagraph (A) of this paragraph, the Mayor
2568 may give the right of first offer to purchase, lease, or otherwise use the former Wilkinson
2569 Elementary School building to:

2570 “(I) A charter school facility incubator that leased the former
2571 Birney Elementary School Building as of October 1, 2020;

2572 “(II) A public charter school that occupied all, or a portion of, the
2573 former Birney Elementary School building as of October 1, 2020.”.

2574 Sec. 4073. Section 1 of An Act Authorizing the sale of certain real estate in the District of
2575 Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.
2576 Official Code § D.C. Code § 10-801), is amended as follows:

2577 (a) Subsection (a)(1) is amended by striking the number “20” and inserting the number
2578 “15” in its place.

2579 (b) A new subsection (b-6) is added to read as follows:

2580 “(b-6)(1) Notwithstanding subsections (a-1)(4) and (b-2) of this section, for the
2581 disposition of the former Wilkinson Elementary School in Ward 8 (“Wilkinson real property”),
2582 the Mayor shall hold at least one public hearing on the finding that the Wilkinson real property is
2583 no longer required for public purposes and to obtain community input on the proposed
2584 disposition of the Wilkinson real property before submitting the proposed surplus resolution and
2585 proposed disposition resolution to the Council pursuant to this section.

2586 “(2) The hearing required by paragraph (1) of this subsection shall be held at an
2587 accessible evening or weekend time and in an accessible location in the vicinity of the Wilkinson
2588 real property. The Mayor shall provide at least 30 days written notice of the hearing to the

2589 affected Advisory Neighborhood Commission and publish notice of the hearing in the District of
2590 Columbia Register at least 15 days before the hearing.”.

2591 **SUBTITLE I. ACADEMIC MIDDLE MENTORING INITIATIVE**

2592 Sec. 4081. Short title.

2593 This subtitle may be cited as the “Academic Middle Mentoring Initiative Act of 2020”.

2594 Sec. 4082. In Fiscal Year 2021, the Office of the State Superintendent of Education shall
2595 award, on a competitive basis, a grant of \$200,000 to support a mentoring program that mentors
2596 low-income high school students and low-income, first generation college students in the
2597 academic middle, who are enrolled in or who graduated from a District public or public charter
2598 school, to provide the students with the skills and experiences needed to successfully complete
2599 college and excel in the workforce.

2600 **SUBTITLE J. TRUANCY PREVENTION AND LITERACY PILOT FUNDING**
2601 **EXTENSION**

2602 Sec. 4091. Short title.

2603 This subtitle may be cited as the “Truancy Prevention and Literacy Pilot Funding
2604 Extension Amendment Act of 2020”.

2605 Sec. 4092. Section 403(g) of the Community Schools Incentive Act of 2012, effective
2606 June 19, 2012 (D.C. Law 19-142; D.C. Official Code § 38-754.03(g)) is amended by adding a
2607 new paragraph (4) to read as follows:

2608 “(4) Any funds awarded pursuant to paragraph (1) of this subsection but not
2609 expended in Fiscal Year 2020 shall be available to the grant recipients until September 30, 2021.

2610

2611 **TITLE V. HUMAN SUPPORT SERVICES**

2612 **SUBTITLE A. MEDICAID HOSPITAL SUPPLEMENTAL AND DIRECTED**
2613 **PAYMENTS**

2614 Sec. 5001. Short title.

2615 This subtitle may be cited as the “Medicaid Hospital Supplemental and Directed
2616 Payments Amendment Act of 2020”.

2617 Sec. 5002. The Medicaid Hospital Outpatient Supplemental Payment Act of 2017,
2618 effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.01 *et seq.*), is
2619 amended as follows:

2620 (a) Section 5062(5) (D.C. Official Code § 44-664.01(5)) is amended by striking the
2621 phrase “September 30 of the period 3 fiscal years prior to the fiscal year the fee is assessed” and
2622 inserting the phrase “September 30, 2018” in its place.

2623 (b) Section 5063(c)(1) (D.C. Official Code § 44-664.02(c)(1)) is amended by striking the
2624 semicolon and inserting the phrase “, either directly or through payments to managed care
2625 organizations;” in its place.

2626 (c) Section 5064(a)(1) and (2) (D.C. Official Code § 44-664.03(a)(1) and (2)) is amended
2627 to read as follows:

2628 “(1) An amount equal to the non-federal share of the total available spending
2629 room under the outpatient Medicaid upper payment limit for private hospitals applicable to
2630 District Fiscal Year 2020, consistent with requirements and approvals from the United States
2631 Department of Health and Human Services, Center for Medicaid or Medicare Services; plus

2632 “(2) An amount equal to the non-federal share of the total available spending
2633 room under the outpatient Medicaid upper payment limit for District operated hospitals
2634 applicable to District Fiscal Year 2020, consistent with the federal approval of the authorizing
2635 Medicaid State Plan amendment or associated templates and other authorities; plus”.

2636 (d) Section 5065(a) (D.C. Official Code § 44-664.04(a)) is amended by striking the
2637 phrase “the Centers for Medicare and Medicaid Services approves the Medicaid State Plan
2638 amendment” and inserting the phrase “the District obtains approvals required by the Centers for
2639 Medicare and Medicaid Services for” in its place.

2640 (e) Section 5066 (D.C. Official Code § 44-664.05) is amended to read as follows:

2641 “Sec. 5066. Medicaid outpatient hospital access payments; payments to MCOs.

2642 “(a) For visits and services beginning October 1, 2020, the District shall pay managed
2643 care organizations (“MCOs”) at a rate sufficient to support payments to hospitals located in the
2644 District for outpatient services at a rate that is not less than 130% of the District Fiscal Year 2020
2645 fee-for-service base rate and shall direct MCOs to pay such rate to their participating hospitals
2646 located in the District for such services.

2647 “(b) No payment shall be made under this section until such time that the Centers for
2648 Medicare and Medicaid Services approves the Medicaid State Plan amendment, associated
2649 template, and other authorities authorizing the Medicaid payments described in this section.

2650 “(c) The Medicaid payment methodologies authorized under this section shall not be
2651 altered unless such alteration is necessary to gain approval from the Centers for Medicare and
2652 Medicaid Services.”.

2653 Sec. 5003. Section 5013(a) of the Medicaid Hospital Inpatient Rate Supplement Act of
2654 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 44-664.13(a)), is
2655 amended to read as follows:

2656 “(a)(1) Beginning October 1, 2020, and except as provided in subsection (b) of this
2657 section and section 5087, the District, through the Office of Tax and Revenue, may charge each
2658 hospital a fee based on its inpatient net patient revenue.

2659 “(2) The fee shall be charged at a uniform rate necessary to generate no more than
2660 \$8,454,038 to support inpatient Medicaid Fee-for-Service and managed care rates at the District
2661 Fiscal Year 2015 level of not less than 98% of cost to non-specialty hospitals.

2662 “(3) The fee collected pursuant to this section shall be deposited in the Hospital
2663 Fund, established by section 5083.”.

2664 **SUBTITLE B. MEDICAL MARIJUANA PROGRAM ADMINISTRATION**

2665 Sec. 5011. Short title.

2666 This subtitle may be cited as the “Medical Marijuana Program Administration
2667 Amendment Act of 2020”.

2668 Sec. 5012. The Legalization of Marijuana for Medical Treatment Initiative of 1998,
2669 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is
2670 amended as follows:

2671 (a) Section 2 (D.C. Official Code § 7-1761.01), is amended as follows:

2672 (1) Paragraphs (1), (1A), and (1B) are redesignated as paragraphs (1B), (1C), and
2673 (1D), respectively.

2674 (2) New paragraphs (1) and (1A) are added to read as follows:

- 2675 “(1) “ABRA” means the Alcoholic Beverage Regulation Administration.
- 2676 “(1A) “ABC Board” means the Alcoholic Beverage Control Board.”.
- 2677 (3) Paragraph (3)(B) is amended by striking the phrase “with the Department” and
2678 inserting the phrase “with ABRA” in its place.
- 2679 (4) Paragraph (5) is amended by striking the phrase “with the Mayor” and
2680 inserting the phrase “with ABRA” in its place.
- 2681 (5) Paragraph (6) is repealed.
- 2682 (6) Paragraph (7) is amended by striking the phrase “with the Mayor” and
2683 inserting the phrase “with ABRA” in its place.
- 2684 (7) Paragraph (19) is amended by striking the phrase “if the Department” and
2685 inserting the phrase “if ABRA” in its place.
- 2686 (8) Paragraph (21) is amended by striking the phrase “by the Department” and
2687 inserting the phrase “by ABRA” in its place.
- 2688 (b) Section 3 (D.C. Official Code § 7-1671.02) is amended as follows:
- 2689 (1) Subsection (c)(1)(B) is amended by striking the phrase “with the Mayor” and
2690 inserting the phrase “with ABRA” in its place.
- 2691 (2) Subsection (d) is amended by striking the phrase “with the Mayor” and
2692 inserting the phrase “with ABRA” in its place.
- 2693 (c) Section 5(b)(2) (D.C. Official Code § 7-1671.04(b)(2)) is amended by striking the
2694 phrase “by the Mayor” and inserting the phrase “by ABRA” in its place.
- 2695 (d) Section 6 (D.C. Official Code §7-1671.05) is amended as follows:
- 2696 (1) The lead-in text is amended by striking the phrase “be administered by the

2697 Mayor and shall”.

2698 (2) Paragraph (1)(A) is amended by striking the phrase “with the Department” and
2699 inserting the phrase “with ABRA” in its place.

2700 (3) Paragraph (4)(A) is amended as follows:

2701 (A) Subparagraph (iv) is amended by striking the phrase “by the
2702 Department” and inserting the phrase “by the ABC Board” in its place.

2703 (B) Subparagraph (v) is amended by striking the phrase “by the Mayor”
2704 and inserting the phrase “by ABRA” in its place.

2705 (4) Paragraph (5A) is amended as follows:

2706 (A) The lead-in text is amended by striking the phrase “by the
2707 Department” and inserting the phrase “by the ABC Board” in its place.

2708 (B) Paragraph (D) is amended by striking the phrase “by the Department”
2709 and inserting the phrase “by the ABC Board” in its place.

2710 (5) Paragraph (5B)(D) is amended by striking the phrase “that the Department”
2711 and inserting the phrase “that ABRA” in its place.

2712 (6) Paragraph (7) is amended by striking the phrase “if the Mayor determines”
2713 and inserting the phrase “if the ABC Board determines” in its place.

2714 (7) Paragraph (10)(A) is amended by striking the phrase “apply to the Mayor” and
2715 inserting the phrase “apply to the ABC Board” in its place.

2716 (8) Paragraph (14) is amended by striking the phrase “notify the Department” and
2717 inserting the phrase “notify ABRA” in its place.

2718 (e) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

2719 (1) Subsection (d) is amended as follows:

2720 (A) Paragraph (1) is amended by striking the phrase “with the Mayor” and
2721 inserting the phrase “with ABRA” in its place.

2722 (B) Paragraph (3)(A) is amended by striking the phrase “determined by
2723 rulemaking” and inserting the phrase “determined by the Mayor by rules issued in accordance
2724 with section 14” in its place.

2725 (C) Paragraph (4) is amended by striking the phrase “the Mayor” and
2726 inserting the phrase “the ABC Board” in its place.

2727 (D) Paragraph (5) is amended to read as follows:

2728 “(5)(A) An application for registration of a dispensary, cultivation center, or
2729 testing laboratory submitted by a medical cannabis certified business enterprise, or applicant
2730 eligible to be a medical cannabis certified business enterprise, shall be awarded a preference
2731 point equal to 50 points or 20% of the available points, whichever is more.

2732 “(B) A medical cannabis certified enterprise shall:

2733 “(i) Have one or more owners who are economically
2734 disadvantaged individuals and who are District residents and individually or collectively own at
2735 least 60% of the licensed business enterprise;

2736 “(ii) Have one or more owners whose income does not exceed
2737 \$349,999, who are residents of the District, and whose net worth, excluding the value of their
2738 residence, does not exceed \$1 million, and individually or collectively own at least 60% of the
2739 licensed business enterprise;

2740 “(iii) Have a chief executive officer and its highest-level
2741 managerial employees perform their managerial functions in a principal office located in the
2742 District;

2743 “(iv) Have at least 50% of its employees be residents of the
2744 District;

2745 “(v) Have at least 50% of its contractors be residents of the
2746 District; and

2747 “(vi) Have at least 80% of the assets of the certified business
2748 enterprise, including bank accounts, be in the District.

2749 “(C) An applicant seeking to qualify as a medical cannabis certified
2750 business enterprise shall submit with the application for registration of a dispensary, cultivation
2751 center, or testing laboratory, an affidavit attesting to:

2752 “(i) The number of owners of the applicant who are economically
2753 disadvantaged individuals;

2754 “(ii) The ownership interest of any owners of the applicant who are
2755 economically disadvantaged individuals;

2756 “(iii) The number of employees of the applicant who are
2757 economically disadvantaged individuals; and

2758 “(iv) The number of contractors of the applicant who are
2759 economically disadvantaged individuals.”.

2760 “(D) For the purpose of this paragraph, the term:

2761 “(i) “Economically disadvantaged individual” shall have the same
2762 meaning as set forth in section 2302(7) of the Small and Certified Business Enterprise
2763 Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C.
2764 Official Code § 2-218.02(7)).

2765 “(ii) “Medical cannabis certified business enterprise” means a
2766 certified business enterprise, as that term is defined in section 2302(1D) of the Small and
2767 Certified Business Enterprise Development and Assistance Act of 2005, effective October 20,
2768 2005; (D.C. Official Code § 2-218.02(1D)), that operates a medical cannabis business as a
2769 dispensary, cultivation center, or testing laboratory.”.

2770 (2) Subsection (e)(3) is amended by striking the phrase “that the Mayor may
2771 allow” and inserting the phrase “that the ABC Board may allow” in its place.

2772 (3) Subsection (g-2) is amended by striking the phrase “the Mayor” and inserting
2773 the phrase “the ABC Board” in its place.

2774 (4) Subsection (g-3) is amended by striking the phrase “the Mayor” and inserting
2775 the phrase “the ABC Board” in its place.

2776 (5) Subsection (j) is amended by striking the phrase “the Mayor” and inserting the
2777 phrase “the ABC Board” in its place.

2778 (f) Section 8(a) (D.C. Official Code § 7-1671.07) is amended by striking the phrase “to
2779 the Department” and inserting the phrase “to ABRA” in its place.

2780 (g) Section 14 (D.C. Official Code § 7-1671.13) is amended by adding a new subsection
2781 (a-) to read as follows:

2782 “(a-1) Pursuant to the transfer of functions of the Department of Health to ABRA by D.C.

2783 Official Code § 25-204.02, the Mayor shall issue rules in accordance with subsection (b) of this
2784 section, which rules shall allow registered dispensaries to provide medical marijuana to
2785 qualifying patient through delivery, curbside pickup and at-the-door options.”.

2786 (h) A new section 9a is added to read as follows:

2787 “Sec. 9a. Medical Cannabis Administration Fund.

2788 “(a) There is established as a special fund the Medical Cannabis Administration Fund
2789 (“Fund”), which shall be administered by ABRA in accordance with subsection (c) of this
2790 section.

2791 “(b) All funds received from medical cannabis licensing, permitting, and registration fees
2792 shall be deposited into the Fund.

2793 “(c) Money deposited in the Fund shall be used by ABRA for the purpose of
2794 administering the medical marijuana program.

2795 “(d)(1) The money deposited into the Fund shall not revert to the unrestricted fund
2796 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any
2797 other time.

2798 “(2) Subject to authorization in an approved budget and financial plan, any funds
2799 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

2800 “(e) Funds received from penalties and fines imposed under section 9 shall be credited to
2801 the unassigned fund balance of the General Fund of the District of Columbia.”.

2802 Sec. 5013. Chapter 2 of Title 25 of the District of Columbia Official Code is amended as
2803 follows:

2804 (a) The table of contents is amended by adding a new section designation to read as
2805 follows:

2806 “§ 25-204.02. Medical marijuana program; transfer of functions of the Department of
2807 Health.”.

2808 (b) A new section 25-204.02 is added to read as follows:

2809 “§ 25-204.02. Medical marijuana program; transfer of functions of the Department of
2810 Health.

2811 “(a) The Board and ABRA shall be responsible for carrying out the responsibilities
2812 assigned to them by the Legalization of Marijuana for Medical Treatment Initiative of 1998,
2813 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*)
2814 (“Medical Marijuana Act”), and for any responsibilities of the Mayor under the Medical
2815 Marijuana Act that the Mayor delegates to the Board or ABRA.

2816 “(b)(1) Except as provided in paragraph (2) of this subsection, all personal property,
2817 assets, records, including both electronic and physical files, licensing agreements, and contracts,
2818 equipment, computer software, obligations, and unexpended balances of appropriations,
2819 allocations, assets, and liabilities, and other funds available or to be made available relating to
2820 the powers, duties, functions, operations, and administration by the Department of Health of the
2821 medical marijuana program pursuant to the Legalization of Marijuana for Medical Treatment
2822 Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-
2823 1671.01 *et seq.*), as of September 30, 2020, are transferred to ABRA.

2824 “(2) This subsection shall not apply to the personal property, assets, records,
2825 including both electronic and physical files, licensing agreements, and contracts, equipment,

2826 computer software, obligations, and unexpended balances of appropriations, allocations, assets,
2827 and liabilities, and other funds available or to be made available relating to the powers, duties,
2828 functions, operations, and administration by the Department of Health of the medical marijuana
2829 program that are within the purview of the Board of Medicine, Board of Nursing, or Board of
2830 Dentistry.

2831 “(c) All rules, orders, obligations, determinations, contracts, agreements, and
2832 understandings of the Department of Health pertaining to the medical marijuana program shall
2833 remain in effect until such time as they may be lawfully amended, modified, or repealed.

2834 “(d) ABRA shall coordinate with the Department of Health regarding the transition of the
2835 administration of the medical marijuana program to ABRA.

2836 “(e)(1) The directors of ABRA and the Department of Health shall jointly determine
2837 which personnel, if any, of the Department of Health associated with the administration of the
2838 medical marijuana program shall be transferred from the Department of Health to ABRA.

2839 “(2) Personnel who are transferred to ABRA pursuant to this subsection shall be
2840 subject to the ABRA Director’s personnel authority, pursuant to section 406(b)(21) of the
2841 District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March
2842 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-604.06(b)(21)), including as it relates to
2843 employment classifications and pay scales.”.

2844 **SUBTITLE C. STEVIE SELLOWS DIRECT SUPPORT PROFESSIONALS**
2845 **QUALITY IMPROVEMENTS**

2846 Sec. 5021. Short title.

2847 This subtitle may be cited as the “Stevie Sellows Direct Support Professionals Quality
2848 Improvements Amendment Act of 2020”.

2849 Sec. 5022. Section 47-1273 of the District of Columbia Official Code is amended by
2850 striking the figure “5.5%” and inserting the figure “6.0%” in its place.

2851 **SUBTITLE D. MEDICAID RESERVE RE-ESTABLISHMENT**

2852 Sec. 5031. Short title.

2853 This subtitle may be cited as the “Medicaid Reserve Re-establishment Amendment Act of
2854 2020”.

2855 Sec. 5032. The Department of Health Care Finance Establishment Act of 2007, effective
2856 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended as
2857 follows:

2858 (a) Section 8a (D.C. Official Code § 7-771.07a), is amended as adding a new subsection
2859 (a-3) to read as follows:

2860 “(a-3) For Fiscal Year 2021, the Director may issue grants pursuant to section
2861 8b(b)(4)(B)(ii) and (iii).”.

2862 (b) A new section 8b is added to read as follows:

2863 “Sec. 8b. Medicaid reserve.

2864 “(a) Beginning October 1, 2020, a Medicaid reserve shall be re-established as paper
2865 agency of the Department.

2866 “(b) Notwithstanding D.C. Official Code §§ 47-361, 47-362, 47-363, and 47-365, funds
2867 may be transferred from the Medicaid reserve to the Department:

2868 “(1) To pay expenses associated with increased Medicaid enrollment or service
2869 utilization upon a determination by the Agency Fiscal Officer that available funds within the
2870 Department are projected to be exhausted;

2871 “(2) To pay expenses associated increased costs of Medicaid services upon a
2872 determination by the Agency Fiscal Officer that available funds within the Department are
2873 projected to be exhausted;

2874 “(3) To satisfy the District’s requirement that sufficient funds are available to
2875 support a Department contract or a grant; and

2876 “(4) Provided that sufficient funds are still available within the Medicaid reserve
2877 to ensure an anti-deficiency will not occur at the Department, to support the following health
2878 innovations within the Department:

2879 “(A) To create a Medicaid Buy-In Program;

2880 “(B) To fund telehealth programs including:

2881 “(i) Maintaining audio-only telehealth programs after a public
2882 health emergency, notwithstanding section 2(4) of the Telehealth Reimbursement Act of 2013,
2883 effective October 17, 2013 (D.C. Law 20-26; D.C. Official Code § 31-3861(4));

2884 “(ii) Funding the Postpartum Coverage Expansion Act of 2020
2885 (Bill 23-326); and

2886 “(iii) Issuing contracts or grants for the purposes of expanding
2887 District health care providers’ digital or telehealth capacity, including, for example, such
2888 innovations as the creation or expansion of patient care coordination platforms to enable
2889 nonprofit entities and practitioners to communicate with Medicaid beneficiaries’ clinical and

2890 recovery support care teams in real time to improve continuity of care and ensure proper follow-
2891 up, including the purchase of telecommunications services, information services, devices,
2892 software, remote patient monitoring tools, and digital health tools; and

2893 “(C) To fund reforms to the DC Healthcare Alliance Program, including:

2894 “(i) Allowing eligible District residents to submit Alliance
2895 applications electronically, without a face-to-face interview with the Department of Human
2896 Services, during a public health emergency;

2897 “(ii) Allowing Alliance clients to submit recertification
2898 applications to health care providers approved by the Department, without a face-to-face
2899 interview with the Department of Human Services, after a public health emergency; and

2900 “(iii) Extending the Alliance eligibility period from 6 months to
2901 one year.

2902 “(c) The Office of the Chief Financial Officer shall notify the Budget Director of the
2903 Council of the District of Columbia and the Council of the District of Columbia in writing within
2904 3 business days whenever a transfer is made from the Medicaid reserve pursuant to this section.
2905 The notice shall set forth the amount and purpose of the transfer.

2906 “(d) Funds may be reprogrammed from the Medicaid reserve for purposes other than
2907 those detailed in subsection (b) of this section, subject to Subchapter IV of Chapter 3 of Title 47
2908 of the D.C. Official Code; provided, that the Office of the Chief Financial Officer determines
2909 that sufficient funds are still available within the Medicaid reserve to ensure an anti-deficiency
2910 will not occur at the Department.”.

2911 **TITLE VI. OPERATIONS AND INFRASTRUCTURE**

2912 **SUBTITLE A. OPPORTUNITY ACCOUNTS**

2913 Sec. 6001. Short title.

2914 This subtitle may be cited as the “Opportunity Accounts Expansion Amendment Act of
2915 2020”.

2916 Sec. 6002. The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-
2917 266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

2918 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
2919 (2A) to read as follows:

2920 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
2921 Securities, and Banking.”.

2922 (b) Section 8(b) (D.C. Official Code § 1-307.67(b)) is amended as follows:

2923 (1) Paragraph (2) is amended by striking the phrase “per account.” and inserting
2924 the phrase “per account, except as provided in paragraph (3) of this subsection.” in its place.

2925 (2) A new paragraph (3) is added to read as follows:

2926 “(3) The Commissioner may waive the requirement in subsection (a) of this
2927 section and may provide matching funds of up to \$4 for every dollar the account holder deposits
2928 into the opportunity account when adequate federal or private matching funds are not available.
2929 For each additional dollar of matching funds that the District provides to an opportunity account
2930 pursuant to such a waiver, the aggregate matching funds limit set forth in paragraph (2) of this
2931 subsection for that account shall be increased by \$1.”.

2932 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

2933 (1) Paragraph (6) is repealed.

2934 (2) Paragraph (8) is amended by striking the period at the end and inserting the
2935 phrase “; and” in its place.

2936 (3) A new paragraph (9) is added to read as follows:

2937 “(9) To pay for any cost, expense, or item authorized by a rule issued pursuant to
2938 section 14.”.

2939 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

2940 (1) Subsection (b) is amended as follows:

2941 (i) Paragraph (2) is amended by striking the phrase “; or” and inserting a
2942 semicolon in its place.

2943 (ii) Paragraph (3) is amended by striking the period and inserting the
2944 phrase “; and” in its place.

2945 (iii) A new paragraph (4) is added to read as follows:

2946 “(4) Making health insurance premium payments in the event of a sudden,
2947 unexpected loss of income.”.

2948 (2) Subsection (c) is repealed.

2949 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

2950 “(c-1) If an account holder makes an emergency withdrawal for the purposes of
2951 subsection (b)(2) or (3) of this section, the account holder shall only withdraw funds deposited
2952 by the account holder and shall not withdraw matching funds.

2953 “(c-2) If an account holder makes an emergency withdrawal for the purposes of
2954 subsection (b)(1) of this section, the account holder shall only withdraw funds deposited by the

2955 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
2956 emergency.

2957 “(c-3) If an account holder makes an emergency withdrawal for the purposes of
2958 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
2959 account holder and matching funds.”.

2960 (4) The lead-in language of subsection (e) is amended to read as follows:

2961 “(e) An account holder shall not be required to repay funds withdrawn from the
2962 opportunity account for an emergency withdrawal but must resume making deposits into the
2963 opportunity account within 90 days after the emergency withdrawal. If the account holder fails to
2964 make a deposit within 90 days after the emergency withdrawal:”.

2965 **SUBTITLE B. GREEN BUILDING FUND USE EXPANSION**

2966 Sec. 6011. Short title.

2967 This subtitle may be cited as the “Green Building Fund Amendment Act of 2020”.

2968 Sec. 6012. Section 8(c)(2) of the Green Building Act of 2006, effective March 8, 2007
2969 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

2970 (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon
2971 in its place.

2972 (b) Subparagraph (E) is amended by striking the period and inserting “; and” in its place.

2973 (c) A new subparagraph (F) is added to read as follows:

2974 “(F) Costs incurred to make green building materials accessible to low-
2975 income residents.”.

2976 **SUBTITLE C. GAME OF SKILL MACHINES**

2977 Sec. 6021. Short title.

2978 This subtitle may be cited as the “Game of Skill Machines Consumer Protection Act of
2979 2020”.

2980 Sec. 6022. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles
2981 for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172;
2982 D.C. Official Code §§ 22-1716 to 22-1718 and 36-601.01 *et seq.*), is amended as follows:

2983 (a) Section 3 (D.C. Official Code § 22-1716) is amended by striking the phrase “Monte
2984 Carlo night parties,” and inserting the phrase “Monte Carlo night parties, game of skill
2985 machines,” in its place.

2986 (b) Section 3 (D.C. Official Code § 22-1717) is amended by striking the period and
2987 inserting the phrase “, or game of skill machines licensed and regulated by the Office of Lottery
2988 and Gaming.” in its place.

2989 (c) Section 3(a) (D.C. Official Code § 22-1718(a)) is amended by striking the period and
2990 inserting the phrase “, or the manufacture, distribution, servicing, retailing, sale, lease, purchase,
2991 or possession of machines, tickets, slips, certificates, or cards for game of skill machines
2992 excepted and permissible pursuant to this act.” in its place.

2993 (d) Section 4 (D.C. Official Code § 36-601.12) is amended as follows:

2994 (1) The section heading is amended to read as follows:

2995 “Sec. 4. Lottery, Gambling, and Gaming Fund.”.

2996 (2) Subsection (a) is amended to read as follows:

2997 “(a) There is established as an enterprise fund the Lottery, Gambling, and Gaming Fund
2998 (“Fund”), which shall be administered by the Chief Financial Officer. Revenue from the
2999 following sources shall be deposited into the Fund or a division of the Fund as established by the
3000 Chief Financial Officer:

3001 “(1) All funds generated by gambling activities operated or licensed by the Chief
3002 Financial Officer; and

3003 “(2) All fees collected pursuant to sections 406 through 409.”.

3004 (3) Subsection (c) is amended by striking the word “gambling” and inserting the
3005 phrase “gambling and gaming” in its place.

3006 (e) A new Title IV is added to read as follows:

3007 “TITLE IV. GAME OF SKILL MACHINES.

3008 “Sec. 401. Definitions

3009 “For purposes of this title, the term:

3010 “(1) “ABC Board” means the Alcoholic Beverage Control Board.

3011 “(2) “ABRA” means the Alcoholic Beverage Regulation Administration.

3012 “(3) “CFO” means the Chief Financial Officer of the District of Columbia.

3013 “(4) “Centralized accounting system” and “CAS” mean the accounting system
3014 linked by a communications network as described in sections 410 and 414.

3015 “(5) “Distributor” means a person licensed under this title to buy, sell, lease,
3016 maintain, or service game of skill machines, or any major components or parts of a game of skill
3017 machine, for distribution to retailers.

3018 “(6) “Game of skill machine” means a mechanical or electronic gaming device
3019 that rewards the winning player or players with cash, a gift card, or a voucher that can be
3020 redeemed for cash. The term “game of skill machine” does not include a mechanical or
3021 electronic gaming device if:

3022 “(A) The ability of a player to succeed at the game is impacted by the
3023 number or ratio of prior wins to prior losses of players playing the game;

3024 “(B) The outcome of the game can be controlled by a source other than a
3025 player playing the game;

3026 “(C) The success of a player is or may be determined by a chance event
3027 that cannot be altered by the player’s actions;

3028 “(D) The ability of a player to succeed at the game is impacted by game
3029 features not visible or known to a reasonable player; or

3030 “(E) The ability of a player to succeed at the game is impacted by the
3031 exercise of skill that no reasonable player could exercise.

3032 “(7) “Gross game of skill machine revenue” means the total of cash or cash
3033 equivalents received from a game of skill machine minus the total of:

3034 “(A) Cash or cash equivalents paid to players as a result of a game of skill
3035 machine;

3036 “(B) Cash or cash equivalents paid to purchase annuities to fund prizes
3037 payable to players over a period of time as a result of a game of skill machine; and

3038 “(C) The actual cost paid by the license holder for personal property
3039 distributed to a player as a result of a game of skill machine, excluding travel expenses, food,
3040 refreshments, lodging, and services.

3041 “(8) “Licensed establishment” means an on-premises retail establishment licensed
3042 by the ABC Board to sell, serve, and allow for the consumption of alcoholic beverages.

3043 “(9) “Licensed premises” means the physical location of a licensed establishment
3044 that is authorized by the Office to offer game of skill machines.

3045 “(10) “Licensee” means a person who possesses a game of skill manufacturer,
3046 distributor, supplier, or retailer license issued by the Office.

3047 “(11) “Manufacturer” means a person that is licensed under this title and that
3048 manufactures or assembles game of skill machines for sale or lease to distributors.

3049 “(12) “Office” means the Office of Lottery and Gaming.

3050 “(13) “Retailer” means a person that is licensed under this title to offer game of
3051 skill machines on its licensed premises.

3052 “(14) “Supplier” means a person that is licensed under this title to supply major
3053 components or parts of game of skill machines to licensed manufacturers or distributors.

3054 “Sec. 402. Authorization of game of skill machines.

3055 “The operation of game of skill machines shall be lawful in the District if conducted in
3056 accordance with this title and the rules issued pursuant to this title.

3057 “Sec. 403. Game of skill machine license requirements; prohibition.

3058 “(a) Except as provided in subsection (f) of this section, no person may offer or allow a
3059 game of skill machine in the District unless all the licenses required by this title, or by a rule
3060 issued pursuant to this title, have been duly obtained.

3061 “(b)(1) The Office shall issue the following categories of game of skill machine licenses:

3062 “(A) Manufacturer;

3063 “(B) Distributor;

3064 “(C) Supplier; and

3065 “(D) Retailer.

3066 “(2) The Office shall not grant a license listed in paragraph (1) of this subsection
3067 until it has determined that each person that possesses 10% or greater beneficial or proprietary
3068 interest in the applicant has been approved for licensure in accordance with this title and rules
3069 issued pursuant to this title.

3070 “(c)(1) An applicant for an initial manufacturer, distributor, or supplier license shall be
3071 subject to District and national criminal history background checks.

3072 “(2) The applicant shall submit an application to the Office, in a form determined
3073 by the Office, for fingerprints for a national criminal records check by the Metropolitan Police
3074 Department and the Federal Bureau of Investigation of all individuals required to be named in
3075 the application and a signed authorization of each individual submitting fingerprints for the
3076 release of information by the Metropolitan Police Department and the Federal Bureau of
3077 Investigation.

3078 “(3) In the case of an application for license renewal, the Office may require
3079 additional background checks.

3080 “(d) The Office shall require proof of good standing pursuant to D.C. Official Code § 29-
3081 102.08 of an applicant for a license pursuant to this title and may, in addition, require
3082 certification that the Citywide Clean Hands Database indicates that the proposed licensee is
3083 current with its District taxes.

3084 “(e) Proprietary information, trade secrets, financial information, and personal
3085 information about a person in an application submitted to the Office pursuant to this title shall
3086 not be a public record and shall not be made available under the Freedom of Information Act of
3087 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any
3088 other law.

3089 “(f)(1) A retailer shall display its license as required by section 411(d) and shall make the
3090 license immediately available for inspection upon request by an employee of the Office, the
3091 Metropolitan Police Department, or ABRA.

3092 “(2) When present at a licensed establishment, an employee of a distributor shall
3093 carry a copy of its license and make it readily available for inspection by an employee of the
3094 Office, the Metropolitan Police Department, or ABRA.

3095 “(g) A licensed establishment that applied for and obtained a game of skill machine
3096 endorsement from the ABC Board pursuant to D.C. Official Code § 25-113.01(e) prior to the
3097 effective date of this act shall have 180 calendar days after the effective date of this act to come
3098 into compliance with this title or rules issued pursuant to this title. Failure to do so may result in
3099 the Office taking action against the licensed establishment in accordance with section 417.

3100 “Sec. 404. License prohibitions; suspensions and revocation of licenses.

3101 “(a) An applicant convicted of a disqualifying offense shall not be licensed. The Office
3102 shall define disqualifying offenses by a rule issued pursuant to this title.

3103 “(b) No Office or ABRA employee, or immediate family member of an Office or ABRA
3104 employee, may be an applicant for, have an interest in, or obtain a license issued pursuant to this
3105 title.

3106 “(c) Failure of an applicant or licensee to notify the Office of a change to the information
3107 provided in its application for license or renewal within 10 days after the change may result in
3108 the Office suspending or revoking the licensee’s license, denying the applicant’s license, or
3109 issuing a fine.

3110 “(d)(1) The Office shall not grant a license pursuant to this title, and shall revoke a
3111 license previously granted, if evidence satisfactory to the Office exists that the applicant or
3112 licensee has:

3113 “(A) Knowingly made a false statement of a material fact to the Office;

3114 “(B) Had a license revoked by a governmental authority responsible for
3115 regulation of games of skill;

3116 “(C) Been convicted of a felony and has not received a pardon or been
3117 released from parole or probation for at least 5 years; or

3118 “(D) Been convicted of a gambling-related offense or a theft or fraud
3119 offense.

3120 “(2) The Office may deny a license to an applicant or suspend or revoke a license
3121 of a licensee if the applicant or licensee:

3122 “(A) Has not demonstrated, to the satisfaction of the Office, financial
3123 responsibility sufficient to adequately meet the requirement of the proposed activity;

3124 “(B) Is not the true owner of the licensed business or has not disclosed the
3125 existence or identity of another individual or entity that has an ownership interest in the business;

3126 or

3127 “(C) Is a corporation that sells more than 5% of a licensee’s voting stock,
3128 more than 5% of the voting stock of a corporation that controls the licensee, or sells a licensee’s
3129 assets to an individual or entity not already determined by the Office to have met the

3130 qualifications of a licensee pursuant to this title, or is a non-corporate entity where a person not
3131 already determined by the Office to have met the qualifications of a licensee pursuant to this title
3132 holds more than 10% interest in the non-corporate entity.

3133 “Sec. 405. Conflicts of interest.

3134 “(a) Before issuing, authorizing the transfer to a new owner of, or renewing a license, the
3135 Office shall determine that the applicant is not disqualified because of a conflicting interest in
3136 another license.

3137 “(b) In making a determination regarding a conflicting interest, the following standards
3138 shall apply:

3139 “(1) No licensee under a supplier’s license shall hold a license in another license
3140 issued under this title.

3141 “(2) No licensee under a distributor’s license shall hold a license in another
3142 license issued under this title; except, that the holder of a distributor’s license may also hold a
3143 manufacturer’s license.

3144 “(3) No licensee under a manufacturer’s license shall hold another license issued
3145 under this title; except, that the holder of a manufacturer’s license may also hold a distributor’s
3146 license.

3147 “Sec. 406. Manufacturer licensure.

3148 “(a) A person may not manufacture a game of skill machine in the District unless the
3149 person has a valid manufacturer’s license issued under this title. A manufacturer may only sell
3150 game of skill machines for use in the District to persons having a valid distributor’s license.

3151 “(b) A person applying for a manufacturer’s license shall do so on a form prescribed by
3152 the Office. The form shall require:

3153 “(1) The name of the applicant;

3154 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3155 name of the state in which it is incorporated, the location of its principal place of business, and
3156 the names and addresses of its directors;

3157 “(3) A report of the applicant’s financial activities, including evidence of financial
3158 stability, such as bank statements, business and personal income and disbursement schedules,
3159 and tax returns; and

3160 “(4) Any other information the Office considers necessary.

3161 “(c) In considering whether to approve an application for a distributor’s license, the
3162 Office may consider evidence the distributor submitted to the Office of an existing license as a
3163 distributor from another jurisdiction that the Office has determined has licensing requirements
3164 similar to those required by the District.

3165 “(d) An applicant for a manufacturer’s license shall pay a nonrefundable application fee
3166 of \$10,000 with the application.

3167 “(e) A manufacturer’s license shall be renewed annually; provided, that the licensee has
3168 continued to comply with all statutory and regulatory requirements and pays upon submission of
3169 its renewal application a \$5,000 renewal fee.

3170 “Sec. 407. Distributor licensure.

3171 “(a) A person may not buy, sell, distribute, lease, maintain, market, or service a game of
3172 skill machine or a major component or part of a game of skill machine for distribution in the
3173 District unless the person has a valid distributor’s license issued by the Office.

3174 “(b) A licensed distributor may buy, sell, distribute, lease, maintain, market, or service a
3175 game of skill machine or any major component or part of a game of skill machine for distribution
3176 in the District to a licensed establishment that possesses a retailer’s license from the Office and a
3177 game of skill machine endorsement from the ABC Board pursuant to D.C. Official Code § 25-
3178 113.01(e). No distributor may give anything of value, including a loan or financing agreement,
3179 to a licensed establishment as an incentive or inducement to locate a game of skill machine in the
3180 establishment.

3181 “(c) A person applying for a distributor’s license shall do so on a form prescribed by the
3182 Office. The form shall require:

3183 “(1) The name of the applicant;

3184 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3185 name of the state in which it is incorporated, the location of its principal place of business, and
3186 the names and addresses of its directors;

3187 “(3) A report of the applicant’s financial activities, including evidence of financial
3188 stability, such as bank statements, business and personal income and disbursement schedules,
3189 and tax returns; and

3190 “(4) Any other information the Office considers necessary.

3191 “(d) In considering whether to approve an application for a distributor’s license, the
3192 Office may consider evidence the distributor submitted to the Office of an existing license as a
3193 distributor from another jurisdiction that the Office has determined has licensing requirements
3194 similar to those required by the District.

3195 “(e) An applicant for a distributor’s license shall demonstrate that the equipment, system,
3196 or device that the applicant plans to offer to retailers conforms to standards established pursuant
3197 to this title, rules issued pursuant to this title, and other applicable law.

3198 “(f) An applicant for a distributor’s license shall pay a nonrefundable application fee of
3199 \$10,000 with the application.

3200 “(g) A distributor’s license shall be renewed annually; provided, that the licensee has
3201 continued to comply with all statutory and regulatory requirements and pays upon submission of
3202 its renewal application a \$5,000 renewal fee.

3203 “(h) A distributor shall submit to the Office, at such times as are established by the Office
3204 by rule, a list of all game of skill machines sold, delivered, or offered to a retailer. All such
3205 equipment shall be tested and approved by an independent testing laboratory approved by the
3206 Office.

3207 “Sec. 408. Supplier licensure.

3208 “(a) A person shall not sell parts or components for a game of skill machine or provide
3209 services related to a game of skill machine unless the person has a valid supplier’s license. A
3210 supplier may only provide parts and components for a game of skill machine or services related
3211 to a game of skill machine for use in the District to a person having a valid manufacturer’s or
3212 distributor’s license.

3213 “(b) A person applying for a supplier’s license shall do so on a form prescribed by the
3214 Office. The form shall require:

3215 “(1) The name of the applicant;

3216 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3217 name of the state in which it is incorporated, the location of its principal place of business, and
3218 the names and addresses of its directors;

3219 “(3) A report of the applicant’s financial activities, including evidence of financial
3220 stability, such as bank statements, business and personal income and disbursement schedules,
3221 and tax returns; and

3222 “(4) Any other information the Office considers necessary.”.

3223 “(c) In considering whether to approve an application for a supplier’s license, the Office
3224 may consider evidence the supplier submitted to the Office of an existing license as a supplier
3225 from another jurisdiction that the Office has determined has licensing requirements similar to
3226 those required by the District.

3227 “(d) An applicant for a supplier’s license shall demonstrate that the equipment,
3228 components, or parts that the applicant plans to offer to manufacturers or distributors conform to

3229 standards established pursuant to this title, rules issued pursuant to this title, and other applicable
3230 law.

3231 “(e) An applicant for a supplier’s license shall pay a nonrefundable application fee of
3232 \$2,000 with the application.

3233 “(f) A supplier’s license shall be renewed annually; provided, that the licensee has
3234 continued to comply with all statutory and regulatory requirements and pays upon submission of
3235 its renewal application a \$1,000 renewal fee.

3236 “(g) A supplier shall submit to the Office, at such times as are established by the Office
3237 by rule, a list of all components or parts for game of skill machines sold, delivered, or offered to
3238 a manufacturer or operator. All such equipment shall be tested and approved by an independent
3239 testing laboratory approved by the Office.

3240 “Sec. 409. Retailer licensure; registration of game of skill machines.

3241 “(a)(1) A person may not own, lease, maintain, install, make available, or offer or allow
3242 another to play a game of skill machine in the District unless the person:

3243 “(A) Is a licensed establishment;

3244 “(B) Possesses a retailer’s license from the Office and a game of skill
3245 machine endorsement from ABRA in accordance with D.C. Official Code § 25-113.01(e); and

3246 “(C) Has entered into a written use agreement with a licensed distributor
3247 for the placement or installation of a game of skill machine on the licensed premises.

3248 “(2) A person convicted of violating this subsection shall be subject to a fine not
3249 to exceed \$5,000 or imprisonment not to exceed 6 months, or revocation of the retailer’s license,
3250 or all of the foregoing.

3251 “(b)(1) Each game of skill machine located on a retailer’s licensed premises shall be
3252 registered with the Office by the retailer before the game of skill machine is installed on the
3253 licensed premises.

3254 “(2) A retailer may register and operate up to 5 game of skill machines on the
3255 licensed premises at any time. The registration fee for each game of skill machine shall be \$100.

3256 “(3) The Office shall issue to the retailer a registration sticker for placement on
3257 each registered game of skill machine.

3258 “(c) A person shall apply for a retailer’s license on a form prescribed by the Office. The
3259 form shall require:

3260 “(1) The name of the applicant;

3261 “(2) The mailing address of the applicant and, if the applicant is a corporation, the
3262 name of the state in which it is incorporated, the location of its principal place of business, and
3263 the names and addresses of its directors;

3264 “(3) A report of the applicant’s financial activities, including evidence of financial
3265 stability, such as bank statements, business and personal income and disbursement schedules,
3266 and tax returns; and

3267 “(4) Any other information the Office considers necessary.

3268 “(d) An applicant for a retailer’s license shall pay a nonrefundable application fee of \$300
3269 with the application.

3270 “(e) A retailer’s license shall be renewed annually; provided, that the licensee continued
3271 to comply with the statutory and regulatory requirements and pays upon submission of its
3272 renewal application a \$300 renewal fee.

3273 “(f) The Office shall require a retailer to be bonded, in such amounts and in such manner
3274 as determined by the Office, and to agree, in writing, to indemnify and hold harmless the District
3275 government against any actions, claims, and demands of whatever kind or nature that the District
3276 may incur by reason of or in consequence of issuing the retailer’s license to the retailer.

3277 “Sec. 410. Minimum requirements of game of skill machines.

3278 “(a)(1) Every game of skill machine offered for play shall first be tested and approved
3279 pursuant to this title and rules issued pursuant to this title.

3280 “(2) The Office shall utilize the services of an accredited independent outside
3281 testing laboratory to test and assess each game of skill machine.

3282 “(3) The applicant shall be responsible for paying the fees associated with testing
3283 the game of skill machines.

3284 “(b) Every game of skill machine offered in the District shall meet the minimum
3285 standards approved by the Office, including that a game of skill machine:

3286 “(1) Conform to all requirements of federal law and regulations, including the
3287 Federal Communications Commission’s Class A emissions standards;

3288 “(2) Pay out a mathematically demonstrable percentage during the expected
3289 lifetime of the machine of all amounts played, which shall not be less than 80%;

3290 “(3) Display an accurate representation of the game outcome;

3291 “(4) Not automatically alter pay tables or any function of the game of skill
3292 machine based on an internal computation of a hold percentage or have a means of manipulation
3293 that affects the random selection process or probabilities of winning a game;

- 3294 “(5) Not be negatively affected by static discharge or other electromagnetic
3295 interference;
- 3296 “(6) Be capable of displaying the following during idle status: “power reset”;
3297 “door open”; or “door closed”;
- 3298 “(7) Be able to detect and display the game’s complete play history and winnings
3299 for the previous 10 games;
- 3300 “(8) Not have a theoretical payback percentage capable of being changed without
3301 making a hardware or software change in the machine itself;
- 3302 “(9) Be designed so that the replacement of parts or modules required for normal
3303 maintenance does not necessitate replacement of the electromechanical meters;
- 3304 “(10) Contain a non-resettable meter that shall be located in a locked area of the
3305 machine that is accessible only by a key;
- 3306 “(11) Be capable of storing the meter information required by paragraph (10) of
3307 this subsection for a minimum of 180 days after a power loss to the machine;
- 3308 “(12) Have accounting software that keeps an electronic record that includes:
- 3309 “(A) Total cash inserted into the game of skill machine;
- 3310 “(B) The value of winning tickets awarded to players by the game of skill
3311 machine;
- 3312 “(C) The total credits played on the game of skill machine;
- 3313 “(D) The total credits awarded by the game of skill machine; and
- 3314 “(E) The payback percentage credited to players of the game of skill
3315 machine;

3316 “(13) Be linked to a centralized accounting system that will allow the Office to
3317 activate or deactivate the game of skill machine from the centralized system remotely; and

3318 “(14) Be linked to a centralized accounting system in accordance with section 414
3319 by which all approved game of skill machines shall be connected for the purposes set forth in
3320 section 414.

3321 “(c) The CFO may issue rules to establish additional licensing and registration
3322 requirements.

3323 “Sec. 411. Registration; display of registration sticker, license, and warning sign;
3324 locations of game of skill machines.

3325 “(a) A retailer shall register each of its game of skill machines in the District with the
3326 Office before the game of skill machine may be installed at the licensed establishment.

3327 “(b) A retailer shall locate its game of skill machines for play only in specific locations
3328 approved by the ABRA within the retailer’s licensed establishment.

3329 “(c) A retailer shall affix and maintain a registration sticker issued by the Office to the
3330 game of skill machine at all times the game of skill machine is located at the establishment. If
3331 the registration sticker is damaged, destroyed, lost, or removed, the retailer shall pay the Office
3332 \$75 for a replacement registration sticker.

3333 “(d) A retailer shall post both its retailer’s license and a warning sign, maintained in good
3334 repair and in a place clearly visible at the point of entry to the designated areas where the game
3335 of skill machines are located. The warning sign shall include:

3336 “(1) The minimum age required to play a game of skill machine;

3337 “(2) The contact information for the District’s gambling hotline; and

3338 “(3) The contact information for the Office of Lottery and Gaming for purposes of
3339 filing a complaint against the manufacturer, supplier, distributor, or retailer.

3340 “(e) Failure to display the registration sticker, license, or warning sign may result in the
3341 Office revoking or suspending the license or issuing a fine against the licensed establishment
3342 pursuant to section 416.

3343 “Sec. 412. Cash award.

3344 “(a) A game of skill machine shall not directly dispense cash awards to a player. If, at the
3345 conclusion of the game, a player is entitled to a cash award, the game of skill machine shall
3346 dispense a ticket or voucher to the player. The ticket or voucher shall indicate:

3347 “(1) The total amount of the cash award;

3348 “(2) The time of day that the cash award was issued in a 24-hour format showing
3349 hours and minutes, the date, the terminal serial number, and the sequential number of the ticket
3350 or voucher; and

3351 “(3) An encrypted validation number from which the validity of the cash award
3352 may be determined.

3353 “(b) A retailer shall allow a player to take the ticket or voucher to the owner of the
3354 licensed establishment or the owner’s designee, who shall be located at the licensed
3355 establishment, for payment of the cash award.

3356 “Sec. 413. Game of skill machine use by minors prohibited.

3357 “(a) A licensee shall not permit a person under the age of 18 to use or play a game of skill
3358 machine.

3359 “(b) The Office may suspend or revoke a license and issue a fine, in accordance with
3360 section 416, against a licensee that knowingly allows a person under the age of 18 to use or play
3361 a game of skill machine.

3362 “Sec. 414. Centralized accounting system.

3363 “(a)(1) Within 6 months after the effective date of this title, the Office shall issue a
3364 solicitation to procure a centralized accounting system, which shall be administered by the Office
3365 and designed and operated to allow the monitoring and reading of all game of skill machines for
3366 the purpose of compliance with this title and rules issued pursuant to this title.

3367 “(2) When the Office is satisfied with the operation of the CAS, it shall:

3368 “(A) Certify the effective status of the system; and

3369 “(B) Notify all retailers of the date by which the retailer’s game of skill
3370 machines must be linked to the CAS.

3371 “(b)(1)(A) A game of skill machine approved prior to the effective date of this title shall
3372 be connected to the CAS within one year after notification pursuant to subsection (a)(2) of this
3373 section.

3374 “(B) A game of skill machine approved on or after the effective date of
3375 this title but prior to the deployment of the CAS shall be connected within 6 months after
3376 notification pursuant subsection (a)(2) of this section.

3377 “(C) A game of skill machine approved after the effective date of this title
3378 and after deployment of the CAS shall be connected to the CAS prior to operation of the game of
3379 skill machine.

3380 “(2) After a game of skill machine has been connected to the CAS, it shall remain
3381 connected as required by the Office.

3382 “(c) All game of skill machines registered in the District shall be linked to the CAS for
3383 purposes of accounting, reporting, monitoring, and reading machine activities as provided for in
3384 this title or rules issued pursuant to this title.

3385 “(d) The CAS shall not provide for the monitoring or reading of personal or financial
3386 information concerning patrons of game of skill machines.

3387 “(e) Employees and agents of a contractor or subcontractor of the Office that is engaged
3388 in building, operating, maintaining, or contracting to build, operate, or maintain the CAS, and the
3389 immediate family members of such employees and agents, shall be prohibited from obtaining a
3390 license under this title.

3391 “(f) Unless a retailer’s license is cancelled, suspended, or revoked, nothing in this section
3392 shall authorize the Office to limit or eliminate a registered game of skill from the CAS.

3393 “Sec. 415. Insurance.

3394 “Each distributor shall maintain liability insurance on all game of skill machines that it
3395 places in a licensed establishment in an amount set by the Office by rule issued pursuant to this
3396 title.

3397 “Sec. 416. Penalties.

3398 “(a) In the event of a violation of this title or a rule issued pursuant to this title, the Office
3399 may:

3400 “(1) Impose a fine of not more than \$50,000;

3401 “(2) Revoke a licensee’s license; or

3402 “(3) Suspend the licensee’s license for up to one year.

3403 “(b) A person that has been fined or whose application has been denied, revoked, or
3404 suspended pursuant to this section shall have a right to a hearing before the Office and, in the
3405 event of the Office’s affirmation of the fine, denial, revocation, or suspension, the right to appeal
3406 the decision of the Office to the Superior Court of the District of Columbia.

3407 “(c) The Office shall notify ABRA within 48 hours after the Office suspends or revokes a
3408 retailers license.

3409 “Sec. 417. Authority of the Office.

3410 “(a) The Office may enforce the provisions of this title with respect to licensees and any
3411 individual or entity not holding a license and offering a game of skill machine in violation of the
3412 provisions of this title or rules issued pursuant to this title.

3413 “(b) Subject to subsection (c) of this section, the Office and the Metropolitan Police
3414 Department may issue citations for civil violations of this title as set forth in rules issued
3415 pursuant to this title.

3416 “(c) A citation for a violation for which the penalty includes the suspension or revocation
3417 of a license shall be issued by the Office as a result of an investigation carried out by the Office.

3418 “(d) The Office may request and check the identification of a person who has played, is
3419 playing, or is attempting to play a game of skill machine. The Office may seize evidence that
3420 substantiates a violation under this title, which may include seizing the tickets, vouchers, or cash
3421 awards issued to a person under the age of 18 and fake identification documents used by a person
3422 under the age of 18.

3423 “(e) The Office may seize a game of skill machine license from an establishment if:

3424 “(1) The game of skill machine license has been suspended, revoked, or cancelled
3425 by the Office;

3426 “(2) The business is no longer in existence; or

3427 “(3) The business has been closed by another District government agency.

3428 “Sec. 418. Investigations and inspections.

3429 “(a) The Office may conduct investigations, searches, seizures, and perform other duties
3430 authorized by this title and rules issued pursuant to this title.

3431 “(b) An applicant for a license and each licensee shall allow an authorized member of the
3432 Office, an ABRA investigator, or any member of the Metropolitan Police Department full
3433 opportunity to examine at any time during business hours:

3434 “(1) The location on the premises where game of skill machines are available to
3435 play; and

3436 “(2) The books and records of the licensee or applicant.

3437 “Sec. 419. Unlawful acts; action by the Attorney General.

3438 “(a)(1) No manufacturer, distributor, supplier, licensed establishment, or employee or
3439 agent of a manufacturer, distributor, supplier, or licensed establishment shall intentionally make
3440 a false or misleading representation concerning an individual’s chances, likelihood, or
3441 probability of winning at playing a game of skill machine.

3442 “(2) An individual or entity claiming to be aggrieved by a fraudulent act or a false
3443 or misleading statement by a licensee shall have a cause of action in a court of competent
3444 jurisdiction for damages and any legal or equitable relief as may be appropriate.

3445 “(b) The Attorney General for the District of Columbia, in the name of the District of
3446 Columbia, may bring an action in the Superior Court of the District of Columbia to enjoin an
3447 individual or entity or to seek a civil penalty of up to \$50,000 for a violation of this title or rule
3448 issued pursuant to this title.

3449 “Sec. 420. Taxation of game of skill machines.

3450 “(a)(1) On or before the 20th day of each month, each retailer shall:

3451 “(A) File a return, on forms and in the manner prescribed by the CFO,
3452 with the CFO indicating the amount of gross game of skill machine revenue for the retailer’s
3453 game of skill machines for the preceding calendar month; and

3454 “(B) Pay to the District of Columbia Treasurer 10% of the gross game of
3455 skill machine revenue for the preceding month.

3456 “(b) All funds owed to the District under this section shall be held in trust within the
3457 boundaries of the District for the District by the retailer until the funds are paid the District of
3458 Columbia Treasurer.

3459 “(c) A retailer that falsely reports or fails to report the amount due as required by this
3460 section may be fined or imprisoned in accordance with Title 22 of the District of Columbia Code
3461 and shall have its retailer’s license revoked.

3462 “(d) A retailer shall keep a record of the gross game of skill machine revenue, awards,
3463 and net income of each game of skill machine in such form as the Office may require.

3464 “(e) A payment required by this section that is not remitted when due shall be assessed a
3465 late payment penalty in amount set forth in D. C. Official Code § 47-4213.

3466 “(f) In the case of an underpayment of the tax required by this section, there shall be
3467 added to the tax, an amount of interest determined by applying the underpayment rate set forth in
3468 D.C. Official Code § 47-4201 to the amount of the underpayment for the period of the
3469 underpayment.

3470 “Sec. 421. Deposit of license fees.

3471 “All fees collected under sections 405 through 408 shall be deposited in the Lottery,
3472 Gambling, and Gaming Fund, established by section 4 (D.C. Official Code § 36-601.12).”.

3473 “Sec. 422. Rules and regulations governing game of skill machines.

3474 “(a) The CFO, pursuant to section 424(d) of the District of Columbia Home Rule Act,
3475 approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24d), shall issue rules to
3476 implement the provisions of this title.

3477 “(b) The rules issued by the CFO pursuant to subsection (a) of this section shall include:

3478 “(1) Standards for conducting inspections of game of skill machines for
3479 compliance with industry standards;

3480 “(2) Standards for inspecting licensed establishments for compliance with this
3481 title;

3482 “(3) Minimum and maximum payment amounts for playing game of skill
3483 machines;

3484 “(4) The maximum amount of allowable winnings per game;

3485 “(5) Requirements relating to how fees and taxes are to be remitted;

3486 “(6) The method of accounting to be used by a licensed establishment where a
3487 game of skill machine is authorized;

- 3488 “(7) Methods of age verification;
- 3489 “(8) Types of records that shall be required to be maintained by a licensee;
- 3490 “(9) Posting requirements;
- 3491 “(10) Advertising guidelines, including specific language concerning individuals
- 3492 under the age of 18;
- 3493 “(11) Penalties for a violation of this title or rule issued pursuant to this title; and
- 3494 “(12) Internal control standards for game of skill machines.
- 3495 Sec. 6023. Title 25 of the District of Columbia Official Code is amended as follows:
- 3496 (a) Section 25-101 is amended as follows:
- 3497 (1) A new paragraph (22B) is added to read as follows:
- 3498 “(22B) “Game of skill machine” has the meaning set forth in section 401(5) of the
- 3499 Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable
- 3500 Purposes in the District of Columbia, as introduced on May 18, 2020 (Bill 23-760).”.
- 3501 (2) A new paragraph (53A) is added to read as follows:
- 3502 “(53A) “Voucher” means a ticket issued by a game of skill machine that is
- 3503 redeemable for cash winnings.”.
- 3504 (b) Section 25-113a is amended as follows:
- 3505 (1) The section is redesignated as § 25-113.01.
- 3506 (2) The section heading is amended to read as follows:
- 3507 “§ 25-113.01. License endorsements.”.
- 3508 (3) A new subsection (e) is added to read as follows:

3509 “(e)(1) A licensee under a manufacturer’s license class A or B holding an on-site sales
3510 and consumption permit, or an on-premises retailer’s license, class C/R, D/R, C/H, D/H, C/T,
3511 D/T, C/N, D/N, C/X, or DX, shall obtain a game of skill machine endorsement from the Board in
3512 order to offer a game of skill machine on the licensed premises.

3513 “(2)(A) A game of skill machine shall not be placed on outdoor public or private
3514 space; provided, that the Board, in its discretion, may allow for the placement of a game of skill
3515 on outdoor public or private space if, in the Board’s determination, activity associated with the
3516 game of skill machine is:

3517 “(i) Not visible from a public street or sidewalk;

3518 “(ii) Adequately secured against unauthorized entrance; and

3519 “(iii) Accessible only by patrons from within the establishment.

3520 “(B) Subparagraph (A) of this paragraph shall not apply to a licensee
3521 operating a passenger-carrying marine vessel in accordance with § 25-113(h).”.

3522 (c) Section 25-401 is amended by adding a new subsection (e) to read as follows:

3523 “(e) An applicant for a game of skill machine endorsement shall submit to the Board with
3524 its application:

3525 “(1) A diagram of where the game of skill machines will be placed on the licensed
3526 premises; and

3527 “(2) The name of the manufacturer and distributor of the game of skill machines
3528 and documentation reflecting that the manufacturer and distributor are licensed to do business
3529 and pays taxes in the District of Columbia.”.

3530 (d) Section 25-508 is amended to read as follows:

3531 “25-508. Minimum fee for permits, and manager’s license, and endorsement.

3532 “The minimum fees for permits, manager’s license, and endorsement shall be as follows:

3533 “Tasting permit for class A licensees \$100/year

3534 “Importation permit \$5

3535 “Manager’s license \$100/year

3536 “On-site sales and consumption permit \$1,000/year

3537 “Game of skill machine endorsement \$200”.

3538 (e) Chapter 7 is amended as follows:

3539 (1) The table of contents is amended by adding a new section designation to read

3540 as follows:

3541 “§ 25-786. Game of skill machine operating requirements.”.

3542 (2) Section 25-763 is amended by adding a new subsection (g) to read as follows:

3543 “(g) Exterior signs advertising game of skill machines shall be prohibited on the licensed

3544 establishment.”.

3545 (3) Section 25-765 is amended by adding a new subsection (c) to read as follows:

3546 “(c) Advertisements related to game of skill machines shall not be placed on the interior

3547 or exterior of a window or on the exterior of a door that is used to enter or exit the licensed

3548 establishment.”.

3549 (4) A new section 25-786 is added to read as follows:

3550 “§ 25-786. Game of skill machine operating requirements.

3551 “A licensee with a game of skill machine endorsement shall:

3552 “(1) Not allow or permit a person under 18 years of age to play a game of skill
3553 machine and shall designate an employee to regularly monitor the designated area where game of
3554 skill machines are played to ensure that no person under 18 years of age is playing or attempting
3555 to play a game of skill machine;

3556 “(2) Verify that each person playing a game of skill machine is lawfully permitted
3557 to do so by checking the person’s government-issued identification document upon entry into
3558 either the licensed establishment or the designated area where the game of skill machines are
3559 located and where the person seeks to cash out his or her winnings, if any; except, that the failure
3560 of a licensee to verify a person’s identification shall not be a violation of this paragraph if the
3561 person whose identification was not checked is 18 years of age or older;

3562 “(3) Not allow or permit a person that appears intoxicated or under the influence
3563 of a narcotic or other substance to play a game of skill machine;

3564 “(4) Not share revenue from the licensee’s sale of alcohol with a manufacturer or
3565 distributor of a game of skill machine, unless approved by the Board as an owner of the license;

3566 “(5) Not allow or permit the placement of a game of skill machine on an outdoor
3567 public or private space that has not been approved by the Board;

3568 “(6) Not allow or permit the placement of a game of skill machine outside of the
3569 designated areas contained on the applicant’s diagram provided as part of the license application
3570 or outside the areas approved by the Board;

3571 “(7) Not have more than 5 game of skill machines on the licensed premises; and

3572 “(8) Install security cameras that are operational and record for 30 days, in the
3573 areas designated for game of skill machines, near the cash register or terminal where cash
3574 winnings of game of skill machines are processed, and where the licensee’s money is stored.”.

3575 (f) Section 25-801 is amended by adding a new subsection (h) to read as follows:

3576 “(h) An ABRA investigator may request and check the identification of a person who has
3577 played, is playing, or is attempting to play a game of skill machine. An ABRA investigator may
3578 seize fake identification used by a person under 18 years of age and may seize such records
3579 related to a game of skill machine as the investigator deems appropriate to investigate the
3580 playing of a game of skill machine by a person under 18 years of age.”.

3581 Sec. 6024. Section 865 of An Act To establish a code of law for the District of Columbia,
3582 approved March 3, 1901 (31 Stat. 1331; D.C. Official Code § 22-1704), is amended as follows:

3583 (a) The existing text is designated as subsection (a).

3584 (b) A new subsection (b) is added to read as follows:

3585 “(b) It shall be unlawful to install or operate a game of skill machine in the District
3586 except as permitted by D.C. Official Code § 25-113.01(e). Whoever shall install or operate a
3587 game of skill machine at a location not licensed under Title 25 of the D.C. Official Code shall be
3588 punished by imprisonment for a term of 180 days or fined not more than the amount set forth in
3589 § 22-3571.01, or both.”.

3590 **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

3591 Sec. 6031. Short title.

3592 This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund Amendment Act
3593 of 2020”.

3594 Sec. 6032. Section 9f of the Department of Transportation Establishment Act, effective
3595 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is amended to read as
3596 follows:

3597 “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund.

3598 “(a) There is established the Parking Meter and Transit Services Pay-by-Phone
3599 Transaction Fee Fund (“Fund”), which shall be administered by the director of the District
3600 Department of Transportation in accordance with subsection (c) of this section.

3601 “(b) The following revenue shall be deposited in the Fund:

3602 “(1) Notwithstanding section 3(h) of the District of Columbia Motor Vehicle
3603 Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50–
3604 2603(8)), all transaction fees imposed upon users who pay for parking, transit fares, Capital
3605 Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-
3606 phone system; and

3607 “(2) All money remaining in the District Department of Transportation Parking
3608 Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

3609 “(c) Money in the Fund shall be used to pay vendors responsible for administering pay-
3610 by-phone payment systems for parking, transit fares, Capital Bikeshare trips, and other forms of
3611 shared mobility and transportation services.

3612 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3613 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3614 of a fiscal year, or at any other time.

3615 “(2) Subject to authorization in an approved budget and financial plan, any funds
3616 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3617 Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility
3618 Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)),
3619 is amended by striking the phrase “to be transferred to the District Department of Transportation
3620 Parking Meter Pay-by-phone Transaction Fee Fund and the DC Circulator Fund, in accordance
3621 with section 9f of the Department of Transportation Establishment Act of 2002, effective
3622 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14)” and inserting the
3623 phrase “to be transferred to the Parking Meter and Transit Services Pay-by-Phone Transaction
3624 Fee Fund, in accordance with section 9f of the Department of Transportation Establishment Act
3625 of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and
3626 the DC Circulator Fund, in accordance with section 11c of the Department of Transportation
3627 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official Code § 50-
3628 921.33)” in its place.

3629 **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

3630 **ACCOUNTS**

3631 Sec. 6041. Short title.

3632 This subtitle may be cited as the “Environmental Special Purpose Funds Reestablishment
3633 Amendment Act of 2020”.

3634 Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective
3635 March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended by
3636 adding a new section 10a to read as follows:

3637 “Sec. 10a. Lead Poisoning Prevention Fund.

3638 “(a) There is established as a special fund the Lead Poisoning Prevention Fund (“Fund”),
3639 which shall be administered by the Department of Energy and Environment in accordance with
3640 subsection (c) of this section.

3641 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3642 act, and all interest earned on those monies, shall be deposited into the Fund.

3643 “(c) Money in the Fund shall be used to pay for the costs of implementing this act and
3644 may be used to provide low-income residents of the District with assistance to comply with the
3645 requirements of section 4, in accordance with rules issued by the Mayor.

3646 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3647 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3648 of a fiscal year, or at any other time.

3649 “(2) Subject to authorization in an approved budget and financial plan, any funds
3650 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3651 Sec. 6043. The District of Columbia Underground Storage Tank Management Act of
3652 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et seq.*), is
3653 amended by adding a new section 6a to read as follows:

3654 “Sec. 6a. Underground Storage Tank Regulation Fund.

3655 “(a) There is established as a special fund the Underground Storage
3656 Tank Regulation Fund (“Fund”), which shall be administered by the Department of Energy and
3657 Environment in accordance with subsection (c) of this section.

3658 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3659 act, and contributions and monies received as reimbursement, and all interest earned on those
3660 monies, shall be deposited into the Fund.

3661 “(c) Money in the Fund shall be used to pay for the costs of implementing this act and
3662 may be used for assessment, clean up, and housing and relocation assistance.

3663 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3664 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3665 of a fiscal year, or at any other time.

3666 “(2) Subject to authorization in an approved budget and financial plan, any funds
3667 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3668 Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,
3669 effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is amended by
3670 adding a new section 21a to read as follows:

3671 “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

3672 “(a) There is established as a special fund the Hazardous Waste and Toxic Chemical
3673 Source Reduction Fund (“Fund”), which shall be administered by the Department of Energy and
3674 Environment in accordance with subsection (c) of this section.

3675 “(b) All fees, fines, and penalties received from compliance with and enforcement of this
3676 act, and all interest earned on those monies, shall be deposited into the Fund.

3677 “(c) Money in the Fund shall be used to pay for the costs of implementing this act.

3678 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not
3679 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end
3680 of a fiscal year, or at any other time.

3681 “(2) Subject to authorization in an approved budget and financial plan, any funds
3682 appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

3683 **SUBTITLE F. ALCOHOLIC BEVERAGE SALES AND DELIVERY**

3684 Sec. 6051. Short title.

3685 This subtitle may be cited as the “Alcoholic Beverage Sales and Delivery Amendment
3686 Act of 2020”.

3687 Sec. 6052. Chapter 7 of Title 25 of the District of Columbia Official Code is amended as
3688 follows:

3689 (a) Section 25-112 is amended by adding a new subsection (h) to read as follows:

3690 “(h)(1) A retailer with commercial street frontage at the Walter E. Washington
3691 Convention Center that sells food and is approved by the Washington Convention and Sports
3692 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food
3693 and alcohol business”) that registers as a Convention Center food and alcohol business with the
3694 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed
3695 containers to individuals for carry out and may deliver beer, wine, or spirits in closed containers
3696 to consumers in the District, pursuant to §§ 25-113(a)(3)(C) and 25-113a(h); provided, that such
3697 carry out and delivery orders are accompanied by one or more prepared food items.

3698 “(2) Board approval shall not be required for a registration under this subsection
3699 that occurs before April 1, 2021.

3700 “(3) After March 31, 2021, a Convention Center food and alcohol business that
3701 does not hold a valid registration under this subparagraph shall be required to obtain a carry out
3702 and delivery license as set forth in § 25-113.01(h) to sell beer, wine, or spirits in closed
3703 containers to customers to carry out and to sell and deliver to the homes of District residents
3704 beer, wine, or spirits in closed containers for delivery .

3705 “(4) A Convention Center food and alcohol business that has been authorized to
3706 offer alcoholic beverages for carry out and delivery in accordance with paragraph (1) of this
3707 subsection may only offer alcoholic beverages for carry out and delivery between the hours of
3708 6:00 a.m. and 1:00 a.m., 7 days a week.”.

3709 (b) Section 25-113(a)(3)(C) is amended to read as follows:

3710 “(C) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
3711 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with
3712 the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed
3713 containers to individuals for carry out, or deliver beer, wine, or spirits in closed containers to
3714 consumers in the District between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week; provided,
3715 that each such carry out or delivery order is accompanied by one or more prepared food items.
3716 Board approval shall not be required for a registration under this subparagraph that occurs prior
3717 to April 1, 2021. After March 31, 2021, an on-premises retailer that does not hold a valid
3718 registration under this subparagraph shall be required to obtain a carry out and delivery
3719 endorsement as set forth in § 25-113a(g) in order to sell for carry out and deliver alcoholic
3720 beverages.”.

3721 (c) Section 25-113.01 is amended by adding new subsections (g) and (h) to read as

3722 follows:

3723 “(g)(1) Effective April 1, 2021, a licensee under an on-premises retailer’s license, class
3724 C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or
3725 private club, shall obtain a carry out and delivery endorsement from the Board to be eligible to
3726 sell beer, wine, or spirits in closed containers to individuals for carry out, or deliver beer, wine,
3727 or spirits in closed containers to consumers in the District.

3728 “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this
3729 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

3730 “(3) Each carry out or delivery order of an alcoholic beverage pursuant to
3731 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

3732 “(4) The annual fee for a carry out and delivery endorsement shall be established
3733 by the Board in an amount not less than \$200.

3734 “(5) An on-premises retailer’s licensee that has registered with the Board under §
3735 25-113(a)(3)(C) before April 1, 2021 (a “registered licensee”), shall not be required to apply with
3736 the Board for an endorsement under this subsection, and the registered licensee shall be granted
3737 the carry out and delivery endorsement upon request to the Board, if the registered licensee
3738 makes the request and pays the annual fee required by paragraph (4) of this subsection by March
3739 31, 2021.

3740 “(h)(1) Effective April 1, 2021, a Convention Center food and alcohol business that has
3741 registered with the Board under § 25-112(h), shall obtain a carry out and delivery license from
3742 the Board to be eligible to sell beer, wine, or spirits in closed containers to individuals for carry
3743 out, or deliver beer, wine, or spirits in closed containers to consumers in the District.

3744 “(2) Carry out sales and delivery shall be authorized under paragraph (1) of this
3745 subsection only between the hours of 6:00 a.m. and 1:00 a.m., 7 days a week.

3746 “(3) Each carry out or delivery order of an alcoholic beverage pursuant to
3747 paragraph (1) of this subsection shall be accompanied by one or more prepared food items.

3748 “(4) The annual fee for a carry out and delivery license shall be established by the
3749 Board in an amount not less than \$200.

3750 “(5) A Convention Center food and alcohol business that has registered with the
3751 Board under § 25-112(h) before April 1, 2021 (“registered Convention Center food and alcohol
3752 business”), shall not be required to apply with the Board for a license under this subsection, and
3753 the registered Convention Center food and alcohol business shall be granted a carry out and
3754 delivery license upon request to the Board, if the registered Convention Center food and alcohol
3755 business makes the request and pays the annual fee required by paragraph (4) of this subsection
3756 by March 31, 2021.

3757 “(6) Beginning June 30, 2022, and each year thereafter, ABRA shall submit an
3758 annual report to the Council on the outcomes of this section, including the number of on-premise
3759 licensees participating in the carry-out and delivery option, and the number of on- and off-
3760 premise retailer licensees that may have closed after the carry-out and delivery option was
3761 implemented”.

3762 (d) Section 25-721 is amended as follows:

3763 (1) Subsection (a-1) is amended by striking the phrase “7:00 a.m. and 12:00 a.m.”
3764 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

3765 (2) Subsection (c) is amended as follows:

3766 (A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00
3767 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

3768 (B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00
3769 a.m.” and inserting the phrase “3:00 a.m. 6:00 a.m.” in its place.

3770 (3) Subsection (d) is amended by striking the phrase “7:00 a.m. and midnight”
3771 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

3772 (e) Section 25-722 is amended as follows:

3773 (1) Subsection (a) is amended by striking the phrase “7:00 a.m. and midnight” and
3774 inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

3775 (2) Subsection (b) is amended by striking the phrase “7:00 a.m. and midnight”
3776 and inserting the phrase “6:00 a.m. and 1:00 a.m.” in its place.

3777 (f) Section 25-723 is amended as follows:

3778 (1) Subsection (b) is amended as follows:

3779 (A) Paragraph (1) is amended by striking the phrase “2:00 a.m. and 8:00
3780 a.m.” and inserting the phrase “2:00 a.m. and 6:00 a.m.” in its place.

3781 (B) Paragraph (2) is amended by striking the phrase “3:00 a.m. and 8:00
3782 a.m.” and inserting the phrase “3:00 a.m. and 6:00 a.m.” in its place.

3783 (2) Subsection (c)(1) is amended as follows:

3784 (A) Subparagraph (C) is amended by striking the word “and”.

3785 (B) Subparagraph (D) is amended by striking the period and inserting the
3786 phrase “; and” in its place.

3787 (C) A new subparagraph (E) is added to read as follows:

3788 “(E) The Saturday and Sunday adjacent to Veterans Day, Christmas Day,
3789 and District of Columbia Emancipation Day as set forth in § 1-612.02(a); except, that if the
3790 holiday under this subparagraph occurs on a Tuesday, the extended hours shall occur on the
3791 preceding Saturday and Sunday and if a holiday under this subparagraph occurs on a Wednesday
3792 or Thursday, the extended hours shall occur on the following Saturday and Sunday.”.

3793 (3) Subsection (e)(1) is amended by striking the phrase “2017, January 14 through
3794 January 22” and inserting the phrase “2021, January 9 through January 24” in its place.

3795 **SUBTITLE G. THIRD-PARTY INSPECTION PLATFORM**

3796 Sec. 6061. Short title.

3797 This subtitle may be cited as the “Third-Party Inspection Platform Amendment Act of
3798 2020”.

3799 Sec. 6062. Section 6d of the Construction Codes Approval and Amendments Act of 1986,
3800 effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.04), is amended by
3801 adding a new subsection (f) to read as follows:

3802 “(f) The Department may establish an online platform that may, at the Director’s
3803 discretion, serve as the exclusive mechanism by which an individual or entity may hire a third-
3804 party inspector to perform an inspection authorized by this section. The Department may charge
3805 a fee for the use of the online platform by an individual or entity and by the third-party
3806 inspectors.”.

3807 **SUBTITLE H. PARKING RECIPROCITY FEE UPDATE AMENDMENT**

3808 Sec. 6071. Short title.

3809 This subtitle may be cited as the “Reciprocity Parking Fee Update Amendment Act of
3810 2020”.

3811 Sec. 6072. Section 8(d) of the District of Columbia Traffic Act, 1925, approved March 3,
3812 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by striking the phrase
3813 “\$50” and inserting the phrase “\$100” in its place.

3814 **SUBTITLE I. TAG TRANSFER FEE UPDATE AMENDMENT**

3815 Sec. 6081. Short title.

3816 This subtitle may be cited as the “Tag Transfer Fee Update Amendment Act of 2020”.

3817 Sec. 6082. Section 2(e) of the District of Columbia Revenue Act of 1937, approved
3818 August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as follows:

3819 (a) Paragraph (2) is amended by striking the phrase “\$7” and inserting the phrase “\$12”
3820 in its place.

3821 (b) Paragraph (5) is amended by striking the phrase “\$7” and inserting the phrase “\$12”
3822 in its place.

3823 **SUBTITLE J. ATE PROGRAM REPORTING REQUIREMENT AMENDMENT**

3824 Sec. 6091. Short title.

3825 This subtitle may be cited as the “ATE Reporting Requirement Amendment Act of
3826 2020”.

3827 Sec. 6092. The Fiscal Year 1997 Budget Support Act of 1996, effective April 9,
3828 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding
3829 a new section 905 to read as follows:

3830 “Sec. 905. ATE Reporting to Council.

3831 “Beginning January 1, 2021, the District Department of Transportation, in consultation
3832 with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the
3833 following information:

3834 “(1) The top 15 automated traffic enforcement (“ATE”) locations by value of
3835 citations generated in the District;

3836 “(2) The breakdown of the jurisdictions where those receiving ATE citations and
3837 with outstanding ATE citation debt have their vehicle registered;

3838 “(3) The locations of where cameras have been added in the last 6 months and the
3839 reasons why those locations were chosen; and

3840 “(4) The amount of ATE citations issued in total and by location.”.

3841 **SUBTITLE K. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY**

3842 Sec. 6101. Short title.

3843 This subtitle may be cited as the “Capacity Market Withdrawal Feasibility Study Act of
3844 2020”.

3845 Sec. 6102. Feasibility study.

3846 By July 1, 2021, the District Department of Energy and the Environment shall make
3847 publicly available a study that evaluates and makes recommendations regarding the District
3848 withdrawing from the PJM capacity market, including outlining the potential advantages and
3849 disadvantages of withdrawal, the anticipated effects of *Calpine Corporation, et al. v. PJM*
3850 *Interconnection, L.L.C.*, 169 FERC ¶ 61,239 (2019) on the District, and the procedure for
3851 withdrawal from the PJM capacity market, including any necessary legislative changes.

3852 **SUBTITLE L. COMPETITIVE GRANT**

3853 Sec. 6111. Short title.

3854 This subtitle may be cited as the “Competitive Grant Act of 2020”.

3855 Sec. 6112. The Department of Energy and Environment shall award an annual grant on a
3856 competitive basis, in an amount not to exceed \$200,000, to provide wildlife rehabilitation
3857 services.

3858 **SUBTITLE M. URBAN AGRICULTURE FUNDING**

3859 Sec. 6121. Short title.

3860 This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of 2020”.

3861 Sec. 6122. The Food Production and Urban Gardens Program Act of 1986, effective
3862 February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is amended as
3863 follows:

3864 (a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by striking the
3865 phrase “base period of 5 years” and inserting the phrase “base period of at least 5 years” in its
3866 place.

3867 (b) Section 3b is amended to read as follows:

3868 “Sec. 3b. Limitations on expenditures.

3869 “Total real property tax abatements provided for certain urban farms established pursuant
3870 to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C. Official Code § 47-
3871 1005(c) shall not exceed \$150,000 each year.”.

3872 Sec. 6123. Section 47–1005(c) of Title 47 of the District of Columbia Official Code is
3873 amended by striking the phrase “Department of General Services” and inserting the phrase
3874 “Department of Energy and Environment” in its place.

3875 **SUBTITLE N. WASTE DISPOSAL FEES**

3876 Sec. 6131. Short title.

3877 This subtitle may be cited as the “Waste Disposal Fees Regulation Amendment Act of
3878 2020”.

3879 Sec. 6132. Section 720.8 of title 21 of the District of Columbia Municipal Regulations is
3880 amended to read as follows:

3881 “720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each ton of
3882 solid waste at the waste-handling facilities, excluding those wastes specified in § 720.5, 720.6,
3883 and 720.7, shall be seventy dollars and sixty-two cents (\$70.62) for each ton disposed; provided,
3884 that a minimum fee of thirty five dollars and thirty-one cents (\$35.31) shall be imposed on each
3885 load weighing one thousand pounds (1,000 lb.) or less.”.

3886 **SUBTITLE O. FAST FERRY GRANT**

3887 Sec. 6141. Short title.

3888 This subtitle may be cited as the “Fast Ferry Grant Act of 2020”.

3889 Sec. 6142. (a) In Fiscal Year 2021, the District Department of Transportation (“DDOT”)
3890 shall award a grant of not less than \$250,000 to a regional transportation system supporting
3891 efforts to establish M-495 Commuter Fast Ferry Service on the Occoquan, Potomac, and
3892 Anacostia River system.

3893 (b) A grant awarded pursuant to this section shall be in addition to any other grant
3894 awarded by DDOT for fast ferry service.

3895 **TITLE VII. FINANCE AND REVENUE**

3896 **SUBTITLE A. PERSONAL PROPERTY TAX**

3897 Sec. 7001. Short title.

3898 This subtitle may be cited as the “Personal Property Tax Amendment Act of 2020”.

3899 Sec. 7002. Title 47 of the District of Columbia Official Code is amended as follows:

3900 (a) Section 47-1508 is amended by adding a new paragraph (13) to read as follows:

3901 “(13)(A) Computer software, unless:

3902 “(i) The software is incorporated as a permanent component of a
3903 computer, machine, piece of equipment, or device, or of real property, and the software is not
3904 commonly available separately; or

3905 “(ii) The cost of the software is included as part of the cost of a
3906 computer, machine, piece of equipment, or device, or of the cost of real property on the books or
3907 records of the taxpayer.

3908 “(B) This paragraph shall not be construed to affect the value of a
3909 machine, device, piece of equipment, or computer, or the value of real property, or to affect the
3910 taxable status of any other property subject to tax under this title.”.

3911 (b) Section 47-1521 is amended as follows:

3912 (1) Paragraph (1) is redesignated as paragraph (1A).

3913 (2) A new paragraph (1) is added to read as follows:

3914 “(1) “Computer software” means a set of statements or instructions that when
3915 incorporated in a machine-usable medium is capable of causing a machine or device having
3916 information processing capabilities to indicate, perform, or achieve a particular function, task, or
3917 result.”.

3918 (3) Paragraph (4) is amended by striking the phrase “goods and chattels” and
3919 inserting the phrase “goods and chattels, including computer software,” in its place.

3920 Sec. 7003. Applicability.

3921 This subtitle shall apply as of July 1, 2021.

3922 **SUBTITLE B. UNINCORPORATED BUSINESS FRANCHISE TAX**

3923 Sec. 7011. Short title.

3924 This subtitle may be cited as the “Unincorporated Business Tax Amendment Act of
3925 2020”.

3926 Sec. 7012. Section 47-1808.02(1) of the District of Columbia Official Code is amended
3927 by inserting the following sentence at the end:

3928 “Taxable income shall include gain from the sale or other disposition of any assets,
3929 including tangible assets and intangible assets, including real property and interests in real
3930 property, in the District, even when such a sale or other disposition results in the termination of
3931 an unincorporated business.”.

3932 Sec. 7013. Applicability.

3933 This subtitle shall apply as of January 1, 2021.

3934 **SUBTITLE C. BALLPARK REVENUE FUND**

3935 Sec. 7021. Short title.

3936 This subtitle may be cited as the “Ballpark Revenue Fund Excess Revenue Amendment
3937 Act of 2020”.

3938 Sec. 7022. Section 102(d) of the Ballpark Omnibus Financing and Revenue Act of 2004,
3939 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.02(d)), is amended by
3940 striking the phrase “due on the bonds.” and inserting the phrase “due on the bonds; provided, that
3941 any excess that accrues during Fiscal Year 2020, Fiscal Year 2021, or Fiscal Year 2022 shall be
3942 deposited in the unrestricted fund balance of the General Fund during the fiscal year in which it
3943 accrues.” in its place.

3944 Sec. 7023. Applicability.

3945 This subtitle shall apply as of August 1, 2020.

3946 **SUBTITLE D. EVENTS DC AUTHORITY**

3947 Sec. 7031. Short title.

3948 This subtitle may be cited as the “Events DC Authority Amendment Act of 2020”.

3949 Sec. 7032. Title II of the Washington Convention Center Authority Act of 1994, effective
3950 September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as
3951 follows:

3952 (a) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

3953 (1) Paragraph (10K) is amended by striking the period and inserting a semicolon
3954 in its place.

3955 (2) A new paragraph (10L) is added to read as follows:

3956 “(10L) To issue grants pursuant to section 208(h) to support go-go music in the
3957 District of Columbia.”.

3958 (b) Section 204(m) (D.C. Official Code § 10-1202.04(m)), is amended by striking the
3959 phrase “Fiscal Year 2019 or Fiscal Year 2020” and inserting the phrase “Fiscal Year 2020 or
3960 Fiscal Year 2021” in its place.

3961 (c) Section 208 (D.C. Official Code § 10-1202.08) is amended by adding a new
3962 subsection (h) to read as follows:

3963 “(h) For Fiscal Year 2021, the Authority shall issue not less than \$1 million in grants
3964 from the Convention Center Fund to support go-go related programming, branding, tourism, and
3965 marketing; provided, that funds are available for such purpose and that the Authority first satisfy
3966 its current liabilities and legally required reserves, which shall not include the elective purchase
3967 or redemption of outstanding indebtedness, unless such purchase or redemption is for the
3968 purpose of securing a lower cost of borrowing and lower debt service payments.”.

3969 **SUBTITLE E. PARKSIDE PARCEL E AND J MIXED-INCOME APARTMENTS**
3970 **TAX ABATEMENT**

3971 Sec. 7041. This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income
3972 Apartments Tax Abatement Amendment Act of 2020”.

3973 Sec. 7042. Section 47-4658 of the District of Columbia Official Code is amended by
3974 striking the number “2020” and inserting the number “2022” in its place both times it appears.

3975 **SUBTITLE F. OFF PREMISES ALCOHOL TAX RATE**

3976 Sec. 7051. This subtitle may be cited as the “Off Premises Alcohol Tax Rate Amendment
3977 Act of 2020”.

3978 Sec. 7052. Section 47-2202(a) of the District of Columbia Official Code is amended as
3979 follows:

3980 (a) Paragraph (3) is amended by striking the phrase “defined in § 47-2001(g-1)” and
3981 inserting the phrase “defined in § 47-2001(g-1) or spirituous or malt liquors, beer, and wine sold
3982 by an alcoholic beverage licensee acting under authority of §§ 25-112(h)(1), 25-113(a)(3)(C), or
3983 25-113a(g) or (h)” in its place.

3984 (b) Paragraph (3A) is amended by striking the phrase “where sold” and inserting the
3985 phrase “where sold, unless sold by an alcoholic beverage licensee acting under authority of §§
3986 25-112(h)(1), 25-113(a)(3)(C), or 25-113a(g) or (h)” in its place.

3987 **SUBTITLE G. SUBJECT-TO-APPROPRIATIONS REPEALS AND**
3988 **MODIFICATIONS**

3989 Sec. 7061. Short title.

3990 This subtitle may be cited as the “Subject-to-Appropriations Amendment Act of 2020”.

3991 Sec. 7062. Section 3 of the East End Certificate of Need Maximum Fee Establishment
3992 Amendment Act of 2018, effective October 30, 2018, (D.C. Law 22-176; 65 DCR 9552), is
3993 repealed.

3994 Sec. 7063. Section 301(a) of the Birth-to-Three for All DC Amendment Act of 2018,
3995 effective October 30, 2018 (D.C. Law 22-179; 65 DCR 9569), is amended by striking the phrase
3996 “107(b),” and inserting the phrase “107,” in its place.

3997 Sec. 7064. Section 8 of the Tipped Wage Workers Fairness Amendment Act of 2018,
3998 effective December 13, 2018 (D.C. Law 22-196; 65 DCR 12049), is repealed.

3999 Sec. 7065. The Ensuring Community Access to Recreational Spaces Act of 2018,
4000 effective February 22, 2019 (D.C. Law 22-210; D.C. Official Code § 38-431 *et seq.*), is amended
4001 as follows:

4002 (a) Section 4(b) (D.C. Official Code § 38-433(b)) is amended by striking the phrase
4003 “Within 180 days after February 22, 2019, the Mayor” and inserting the phrase “The Mayor” in
4004 its place.

4005 (b) A new section 7a is added to read as follows:

4006 “Sec. 7a. Applicability.

4007 “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved
4008 budget and financial plan.

4009 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4010 in an approved budget and financial plan, and provide notice to the Budget Director of the
4011 Council of the certification.

4012 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4013 the District of Columbia Register.

4014 “(2) The date of publication of the notice of the certification shall not affect the
4015 applicability of section 4.”.

4016 Sec. 7066. The Senior Strategic Plan Amendment Act of 2018, effective March 28, 2019
4017 (D.C. Law 22-267; 66 DCR 1428), is amended by adding a new section 3a to read as follows:

4018 “Sec. 3a. Applicability.

4019 “(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
4020 budget and financial plan.

4021 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4022 in an approved budget and financial plan, and provide notice to the Budget Director of the
4023 Council of the certification.

4024 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4025 the District of Columbia Register.

4026 “(2) The date of publication of the notice of the certification shall not affect the
4027 applicability of this act.”.

4028 Sec. 7067. Section 5 of the Public Restroom Facilities Installation and Promotion Act of
4029 2018, effective April 11, 2019 (D.C. Law 22-280; 66 DCR 1595), is amended to read as follows:

4030 “Sec. 5. Applicability.

4031 “(a) Section 4 shall apply upon the date of inclusion of its fiscal effect in an approved
4032 budget and financial plan.

4033 “(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect
4034 in an approved budget and financial plan and provide notice to the Budget Director of the
4035 Council of the certification.

4036 “(c)(1) The Budget Director shall cause the notice of the certification to be published in
4037 the District of Columbia Register.

4038 “(2) The date of publication of the notice of the certification shall not affect the
4039 applicability of section 4.”.

4040 Sec. 7068. Section 5 of the Sports Wagering Lottery Amendment Act of 2018, effective
4041 May 3, 2019 (D.C. Law 22-312; 66 DCR 1402), is repealed.

4042 Sec. 7069. Section 4 of the Mypheduh Films DBA Sankofa Video and Books Real
4043 Property Tax Exemption Act of 2019, effective September 11, 2019 (D.C. Law 23-24; 66 DCR
4044 9759), is repealed.

4045 Sec. 7070. Section 3 of the Certificate of Need Fee Reduction Amendment Act of 2019,
4046 effective March 10, 2020, (D.C. Law 23-60; 67 DCR 568), is repealed.

4047 Sec. 7071. Section 3 of the Electronic Medical Order for Scope of Treatment Registry
4048 Amendment Act of 2019, effective March 10, 2020, (D.C. Law 23-62; 67 DCR 574), is repealed.

4049 Sec. 7072. Section 5 of the Housing Conversion and Eviction Clarification Amendment
4050 Act of 2020, effective April 16, 2020 (D.C. Law 23-72; 67 DCR 2476), is repealed.

4051 Sec. 7073. Section 5 of the Urban Farming Land Lease Amendment Act of 2020,
4052 effective April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.

4053 Sec. 7074. Section 3 of the Strengthening Reproductive Health Protections Amendment
4054 Act of 2020, effective May 6, 2020 (D.C. Law 23-90; 67 DCR 3537), is repealed.

4055 Sec. 7075. Section 6 of the Certified Professional Midwife Amendment Act of 2020,
4056 effective June 17, 2020, (D.C. Law 23-97; 67 DCR 3912), is repealed.

4057 Sec. 7076. Section 3 of the Leave to Vote Amendment Act of 2020, effective June 24,
4058 2020 (D.C. Law 23-110; 67 DCR 5057), is repealed.

4059 Sec. 7077. Section 3 of the Transportation Benefits Equity Amendment Act of 2020,
4060 effective June 24, 2020 (D.C. Law 23-113; 67 DCR 5069), is repealed.

4061 Sec. 7078. Section 3 of the Professional Art Therapist Licensure Amendment Act of
4062 2020, effective June 24, 2020, (D.C. Law 23-115; 67 DCR 5077), is repealed.

4063 Sec. 7079. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020,
4064 enacted on April 27, 2020 (D.C. Act 23-302; 67 DCR 5060), is repealed.

4065 **SUBTITLE H. COUNCIL PERIOD 23 RULE 736 AND OTHER REPEALS**

4066 Sec. 7081. Short title.

4067 This subtitle may be cited as the “Council Period 23 Rule 736 and Other Repeals
4068 Amendment Act of 2020”.

4069 Sec. 7082. Section 202 of the Ballpark Omnibus Financing and Revenue Act of 2004,
4070 effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1602.02), is repealed.

4071 Sec. 7083. Sections 103 and 105(c) of the Employee Transportation Amendment Act of
4072 2012, effective March 5, 2013 (D.C. Law 19-223; D.C. Official Code §§ 50-211.03 and 50-
4073 211.05(c)), are repealed.

4074 Sec. 7084. Section 3602(d) of the Restrictions on the Use of Official Vehicles Act of
4075 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204(d)), is
4076 repealed.

4077 Sec. 7085. The Exhaust Emissions Inspection Amendment Act of 2017, effective January
4078 25, 2018 (D.C. Law 22-47; 64 DCR 12403).

4079 Sec. 7086. The Mobile DMV Act of 2017, effective January 25, 2018 (D.C. Law 22-49;
4080 D.C. Official Code § 50-915), is repealed.

4081 Sec. 7087. The Public School Health Services Amendment Act of 2017, effective
4082 February 17, 2018 (D.C. Law 22-61; 65 DCR 127), is repealed.

4083 Sec. 7088. The DC Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017,
4084 effective February 17, 2018 (D.C. Law 22-62; 65 DCR 9), is repealed.

4085 Sec. 7089. The Ballpark Fee Forgiveness Act of 2017, effective February 28, 2018 (D.C.
4086 Law 22-64; 65 DCR 328), is repealed.

4087 Sec. 7090. Section 2(nn) and (oo) of the Homeless Services Reform Amendment Act of
4088 2017, effective February 28, 2018 (D.C. Law 22-65; 65 DCR 331), are repealed.

4089 Sec. 7091. The East End Commercial Real Property Tax Rate Reduction Amendment Act
4090 of 2018, effective March 29, 2018 (D.C. Law 22-81; 65 DCR 1582), is repealed.

4091 Sec. 7092. The Relieve High Unemployment Tax Incentives Act of 2018, effective April
4092 25, 2018 (D.C. Law 22-85; 65 DCR 1805), is repealed.

4093 Sec. 7093. Section 1013(g) of the Innovation Fund Establishment Act of 2013, effective
4094 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.222(g)), is repealed.

4095 Sec. 7094. The Health Care Provider Facility Expansion Program Establishment Act of
4096 2018, effective May 5, 2018 (D.C. Law 22-97; D.C. Official Code § 7-1941.01 *et seq.*), is
4097 repealed.

4098 Sec. 7095. The School Health Innovations Grant Program Amendment Act of 2018,
4099 effective May 5, 2018 (D.C. Law 22-98; D.C. Official Code § 38-671.01 *et seq.*), is repealed.

4100 Sec. 7096. The Telehealth Medicaid Expansion Amendment Act of 2018, effective July
4101 3, 2018 (D.C. Law 22-126; 65 DCR 5110), is repealed.

4102 Sec. 7097. The Expenditure Commission Establishment Act of 2019, effective September
4103 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is repealed.

4104 **SUBTITLE I. DISTRICT HISTORY GRANT**

4105 Sec. 7091. Short title.

4106 This subtitle may be cited as the “District History Grant Act of 2020”.

4107 Sec. 7092. (a) The Washington Convention and Sports Authority (“Events DC”)
4108 shall award a grant to a nonprofit organization occupying space in the Carnegie Library
4109 building that is engaged in collecting, interpreting, and sharing the history of the District.

4110 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,
4111 \$100,000 shall be transferred to Events DC to use for the grant authorized by subsection
4112 (a) of this section.

4113 (c) A grant awarded pursuant to this section shall be in addition to any other grant
4114 awarded by Events DC in support of historical education and research.

4115 **SUBTITLE J. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING**
4116 **MATCH**

4117 Sec. 7101. Short title.

4118 This subtitle may be cited as the “National Cherry Blossom Festival Fundraising
4119 Match Act of 2020”.

4120 Sec. 7102. National Cherry Blossom Festival Fundraising.

4121 (a) There is established a matching grant program to support the 2021 National
4122 Cherry Blossom Festival (“Program”), which shall be administered by the Washington
4123 Convention and Sports Authority (“Events DC”). Under the Program, a matching grant
4124 shall be awarded to a nonprofit organization that organizes and produces an event or
4125 events as part of the official, month-long National Cherry Blossom Festival (“Festival”)
4126 of up to \$1,000,000 for every dollar above \$1,000,000 that the organization has raised in
4127 corporate donations by March 31, 2021.

4128 (b) In Fiscal Year 2021, of the funds allocated to the Non-Departmental Account,
4129 \$1,000,000 shall be transferred to Events DC to use for the grant authorized by
4130 subsection (a) of this section.

4131 (c) A grant awarded pursuant to this section shall be in addition to any other grant
4132 awarded by Events DC in support of the Festival.

4133 **SUBTITLE K. MOTOR VEHICLE FUEL TAX**

4134 Sec. 7111. Short Title.

4135 This subtitle may be cited as the “Motor Vehicle Fuel Tax Amendment Act of 2020”.

4136 Sec. 7112. Section 47-2301(a) of the District of Columbia Official Code is amended to
4137 read as follows:

4138 “(a)(1) The District shall levy and collect a tax on motor vehicle fuels equal to \$.288 per
4139 gallon.

4140 “(2) As of October 1, 2021, the rate shall be \$.338 per gallon; and

4141 “(3) As of October 1, 2022, the rate shall be adjusted annually based on the
4142 greater of:

4143 “(A) The change in the Consumer Price Index for All Urban Consumers
4144 for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (or
4145 such successor metropolitan statistical area that includes the District) for the preceding calendar
4146 year; or

4147 “(B) Zero.”.

4148 **SUBTITLE L. ADVERTISING AND PERSONAL INFORMATION TAXES**

4149 Sec. 7121. Short Title.

4150 This subtitle may be cited as the “Advertising and Personal Information Tax Amendment
4151 Act of 2020”.

4152 Sec. 7122. Title 47 of the District of Columbia Official Code is amended as follows:

4153 (a) Chapter 20 is amended as follows:

4154 (1) Section 47-2001 is amended as follows:

4155 (A) Subsection (a-2) is redesignated as subsection (a-3);

4156 (B) A new subsection (a-2) is added to read as follows:

4157 “(a-2) “Advertising services” means the planning, creating, placing, or display of
4158 advertising in newspapers, magazines, billboards, broadcasting, and other media, including,
4159 without limitation, the providing of concept, writing, graphic design, mechanical art,
4160 photography, and production supervision.”.

4161 (C) Subsection (d-1) is redesignated as subsection (d-2).

4162 (D) A new subsection (d-1) is added to read as follows:

4163 “(d-1) “Digital advertising services” means advertising services related to advertisements
4164 displayed on a digital interface, including advertisements in the form of banner advertising,
4165 search engine advertising, interstitial advertising, or other comparable advertising.”.

4166 (E) A new subsection (d-3) is added to read as follows:

4167 “(d-3) “Digital interface” means any combination of hardware and software that an
4168 individual may use to access internet-based platforms such as websites, parts of websites, or
4169 applications.”.

4170 (F) Subsections (i-1) and (i-2) are redesignated as subsections (i-2) and (i-
4171 3), respectively.

4172 (G) A new subsection (i-1) is added to read as follows:

4173 “(i-1) “Personal information” means information or data that is derived from a person
4174 that identifies, relates to, describes, or is capable of being associated with, a particular person,
4175 including a person’s:

4176 “(1) Name;
4177 “(2) Physical address, mailing address, or other location information;
4178 “(3) Telephone number;
4179 “(4) Email address;
4180 “(5) Internet Protocol address;
4181 “(6) Digital signature;
4182 “(7) Physical characteristics or description;
4183 “(8) Biometric data;
4184 “(9) Driver’s license number, state identification card number, passport number,
4185 social security number, or other government-issued identification number;
4186 “(10) Bank account number, debit card number, credit card number, or any other
4187 financial information;
4188 “(11) Insurance information;
4189 “(12) Medical information;
4190 “(13) Employment information;
4191 “(14) Educational information; or
4192 “(15) Browser habits, consumer preferences, and any other data that can be
4193 attributed to a person and can be used for marketing, or determining access or costs related to
4194 insurance, credit, or health care.”.

4195 (H) Subsection (n)(1) is amended as follows:

4196 (i) Subparagraph (AA)(ii)(II) is amended by striking the phrase “;
4197 or” and inserting a semicolon in its place.

4198 (ii) Subparagraph (BB) is amended by striking the period and
4199 inserting the phrase “; or” in its place.

4200 (iii) New subparagraphs (CC) and (DD) are added to read as
4201 follows:

4202 “(CC) The sale of or charges for advertising services, including digital
4203 advertising services; or

4204 “(DD) The sale of or charges for personal information.”.

4205 (2) Section 47-2002(a) is amended by adding new paragraphs (9) and (10) to read
4206 as follows:

4207 “(9) The rate of tax shall be 3% of the gross receipts from the sale of or charges
4208 for advertising services, including digital advertising services.

4209 “(10) The rate of tax shall be 3% of the gross receipts from the sale of or charges
4210 for personal information.”.

4211 (b) Chapter 22 is amended as follows:

4212 (1) Section 47-2201(a)(1) is amended as follows:

4213 (A) Subparagraph (Q) is amended by striking the phrase “; or” and
4214 inserting a semicolon in its place.

4215 (B) Subparagraph (R) is amended by striking the period and inserting a
4216 semicolon in its place.

4217 (C) New subparagraphs (S) and (T) are added to read as follows:

4218 “(S) The sale of or charges for advertising services as defined in § 47-
4219 2001(a-2), including digital advertising services, as defined in § 47-2001(d-1); or

4220 “(T) The sale of or charges for personal information, as defined in § 47-
4221 2001(i-1).”.

4222 (2) Section 47-2202(a) is amended by adding new paragraphs (6) and (7) to read
4223 as follows:

4224 “(6) The rate of tax shall be 3% of the gross receipts from the sale of or charges
4225 for advertising services, including digital advertising services.

4226 “(7) The rate of tax shall be 3% of the gross receipts from the sale of or charges
4227 for personal information.”.

4228 (c) Section 47-2501.01(a) is amended by striking the phrase “as defined in § 47-2001(d-
4229 1)” and inserting the phrase “as defined in § 47-2001(d-2)” in its place.

4230 **SUBTITLE M. QHTC TAX INCENTIVES MODIFICATION**

4231 Sec. 7131. Short Title.

4232 This subtitle may be cited as the “QHTC Tax Incentives Amendment Act of 2020”.

4233 Sec. 7132. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as
4234 follows:

4235 (a) Section 47-1817.06(a) is amended as follows:

4236 (1) Paragraph (2) is amended as follows:

4237 (A) Subparagraph (A) is amended to read as follows:

4238 “(A) For tax years beginning after December 31, 2019, a Qualified High
4239 Technology Company certified pursuant to § 47-1805.05 prior to January 1, 2020 shall be
4240 subject to tax at the rate of 3% of taxable income for 5 years after the date that the Qualified
4241 High Technology Company has taxable income.”.

4242 (B) Subparagraph (B) is amended by striking the phrase “receive in
4243 exemptions under” and inserting the phrase “receive in exemptions and rate reductions under” in
4244 its place.

4245 (2) Paragraph (3) is amended as follows:

4246 (A) Subparagraph (B) is amended as follows:

4247 (i) The lead in language is amended by striking the phrase “The
4248 credit shall” and inserting the phrase “For a Qualified High Technology Company certified
4249 pursuant to § 47-1805.05 prior to January 1, 2020, the credit shall” in its place.

4250 (ii) Sub-subparagraph (ii) is amended by striking the phrase
4251 “receive an exemption under” and inserting the phrase “receive a rate reduction under” in its
4252 place.

4253 (B) A new subparagraph (C) is added to read as follows:

4254 “(C) For a Qualified High Technology Company certified pursuant to §
4255 47-1805.05 on or after January 1, 2020, the credit shall be allowed for 10 taxable years from the
4256 date that the Qualified High Technology Company has taxable income.”.

4257 (b) Section 47-1817.07a is amended by striking the phrase “For tax years beginning after
4258 December 31, 2018, notwithstanding” and inserting the phrase “For the tax year beginning after

4259 December 31, 2018 and ending before January 1, 2020 and for tax years beginning after
4260 December 31, 2024, notwithstanding” in its place.

4261 **SUBTITLE N. ADAMS MORGAN BID**

4262 Sec. 7141. Short title.

4263 This subtitle may be cited as the “Adams Morgan Business Improvement District
4264 Amendment Act of 2020”.

4265 Sec. 7142. Section 206(c) of the Business Improvement District Act of 1996, effective
4266 March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as
4267 follows:

4268 “(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed
4269 \$.21 for each \$100 in assessed value for all taxable properties and all commercial portions of
4270 mixed use properties; provided, that any change in the BID taxes from the current tax year rates
4271 shall be made subject to the requirements of section 9.”.

4272 **SUBTITLE O. SKYLAND TAX EXEMPTION**

4273 Sec. 7151. This subtitle may be cited as the “Skyland Tax Exemption Amendment Act of
4274 2020”.

4275 Sec. 7152. Section 302 of the District of Columbia Deed Recordation Tax Act, approved
4276 March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102), is amended as follows:

4277 (a) Paragraph (34) is amended by striking the phrase “; and” and inserting a semicolon in
4278 its place.

4279 (b) Paragraph (35) is amended by striking the period at the end and inserting the phrase “;
4280 and” in its place.

4281 (c) A new paragraph (36) is added to read as follows:

4282 “(36)(A) Deeds conveying, vesting, granting, or assigning title to, an interest in, a
4283 security interest in, or an economic interest in the real property (and any improvements thereon)
4284 described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,
4285 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and 7010 that
4286 are recorded between the applicability of this paragraph and December 31, 2020.

4287 “(B) The amount of all taxes, fees, and deposits exempted under this
4288 paragraph and § 47-902(28), shall not exceed, in the aggregate, \$420,840.”.

4289 Sec. 7153. Section 47-902 of the District of Columbia Official Code is amended by
4290 adding a new paragraph 28 to read as follows:

4291 “(28)(A) Transfers with respect to the real property (and any improvements
4292 thereon) described as Square 5633, Lots 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812,
4293 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 7000, 7009, and
4294 7010, as evidenced by the recordation of a deed conveying title to the real property between the
4295 applicability of this paragraph and December 31, 2020.

4296 “(B) The amount of all taxes, fees, and deposits exempted under this
4297 paragraph and D.C. Official Code § 42-1102(36), shall not exceed, in the aggregate, \$420,840.”.

4298 **TITLE VIII. SPECIAL PURPOSE AND DEDICATED REVENUE FUNDS**

4299 Sec. 8001. Short title.

4300 This subtitle may be cited as the “Designated Fund Transfer Act of 2020”.

4301 Sec. 8002. (a) Notwithstanding any provision of law limiting the use of funds in the
4302 accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year

4303 2020 the following amounts from certified fund balances and other revenue in the identified
4304 accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency Code	Agency	Fund Detail	Fund Name	FY20	FY21
AG0	BEGA	601	Accountability Fund	60,000	
AT0	OCFO	606	Recorder of Deeds Surcharge	700,000	
BD0	OP	2001	Historic Landmark and Historic District Filing Fees	127,039	
BX0	DCCAH	110	Commission on Arts and Humanities	1,245,000	
BX0	DCCAH	600	Arts and Humanities Enterprise Fund	222,753	
CB0	OAG	616	Litigation Support Fund	1,024,373	
CF0	DOES	619	DC Jobs Trust Fund	230,000	
CI0	OCF	600	Special Purpose Revenue	700,000	
CQ0	OTA	6000	Rental Unit Fee Fund	462,101	
CR0	DCRA	6009	R-E Appraisal Fee	75,000	
CR0	DCRA	6013	Basic Business License Fund		6,000
CR0	DCRA	6040	Corporate Recordation Fund	5,895,623	12,500
CR0	DCRA	6050	Expedited Permit Review	1,150,000	
DB0	DHCD	610	DHCD Unified Fund	1,300,000	
EB0	DMPED	419	H St Retail Priority Area	324,764	
EN0	DSLBD	6160	Streetscape Loan Relief Fund	44,080	
FB0	FEMS	601	FEMS Reform Fund	189,064	
FL0	DOC	605	Corrections Reimbursement Juveniles	268,000	
GD0	OSSE	620	Child Development Facilities Fund	86,737	
GD0	OSSE	6007	Site Evaluation	40,000	

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GL0	DCSAC	619	State Athletic Acts Programming and Office Fund	49,801	
HA0	DPR	602	Enterprise Fund Account		150,000
HC0	DOH	605	SHPDA Fees	47,351	4,000
HC0	DOH	632	Pharmacy Protection	286,116	5,393
HC0	DOH	633	Radiation Protection		3,500
HC0	DOH	643	Board of Medicine	659,477	145,493
HC0	DOH	656	EMS Fees		5,250
HT0	DHCF	111	Healthy DC Fund	449,244	
HT0	DHCF	631	Medicaid Collections Third Party Liability	384,592	
HT0	DHCF	632	Bill of Rights (Grievances and Appeals)	1,596,337	
KG0	DOEE	645	Pesticide Product Registration	361,081	
KG0	DOEE	646	Stormwater Fees		2,000
KG0	DOEE	647	Mold Assessment and Remediation	69,386	
KG0	DOEE	654	Stormwater Permit Review		64,500
KG0	DOEE	662	Renewable Energy Development Fund		30,000
KG0	DOEE	6400	DC Municipal Aggregation Program	57,510	
KG0	DOEE	6500	Benchmarking Enforcement Fund	102,134	
KG0	DOEE	6700	Sustainable Energy Trust Fund		40,000
KT0	DPW	6010	Super Can Program	37,751	
KT0	DPW	6052	Solid Waste Diversion Fund	113,762	
KT0	DPW	6082	Solid Waste Disposal Fee Fund	37,889	
KT0	DPW	6591	Clean City Fund	205,723	
KV0	DMV	6258	Motor Vehicle Inspection Station	1,200,000	

LQ0	ABRA	110	Dedicated Taxes	783,683	
LQ0	ABRA	6017	ABC - Import and Class License Fees	249,202	245,368
PO0	OCP	4010	DC Surplus Personal Property Sales Operation		10,000
RJ0	MLCIA	640	Subrobation Fund	8,369,115	
RM0	DMH	640	DMH Medicare and Third Party Reimbursement	188,400	
SR0	DISB	2100	HMO Assessment		17,763
SR0	DISB	2200	Insurance Assessment		120,790
SR0	DISB	2350	Securities and Banking Fund	1,100,000	370,403
SR0	DISB	2800	Captive Insurance		82,741
SR0	DISB	2910	Foreclosure Mediation Fund	29,650	
TC0	DFHV	2400	Public Vehicles for Hire		21,000
TO0	OCTO	602	DC Net Services Support	3,295,975	
UC0	OUC	1630	911 and 311 Assessments	1,455,501	
UP0	WI		Workforce Investments Fund	57,202,000	
			Total	92,476,214	1,336,702

4305
4306 (b) Notwithstanding any provision of law limiting the use of funds in the accounts listed
4307 in D.C. Official Code § 47-392.02(j-5)(1) and (2), the amounts deposited and committed to those
4308 accounts pursuant to D.C. Official Code § 47-392.02(j-5) in Fiscal Year 2020, based on the
4309 Comprehensive Annual Financial Report for Fiscal Year 2019, shall, after such deposits and
4310 commitments have been made, be transferred by the Chief Financial Officer before the end of
4311 Fiscal Year 2020 to the unassigned balance of the General Fund of the District of Columbia.

4312 (c) The amounts identified in subsections (a) and (b) of this section shall be made
4313 available as set forth in the approved Fiscal Year 2021 Budget and Financial Plan.

4314 Sec. 8003. Applicability.

4315 This subtitle shall apply as of August 1, 2020.

4316 **TITLE IX. CAPITAL BUDGET ADJUSTMENTS**

4317 Sec. 9001. Short title.

4318 This subtitle may be cited as the “Fiscal Year 2021 Capital Project Reallocation Approval
4319 Act of 2020”.

4320 Sec. 9002. In Fiscal Year 2020, the Chief Financial Officer shall rescind or adjust capital
4321 project allotments as set forth in the following tabular array, with the savings to be used in
4322 accordance with the Fiscal Year 2021 Local Budget Act of 2020, as approved by the Committee
4323 of the Whole on July 7, 2020 (Committee print of Bill 23-761):

Owner Agency	Project No	Project Title	Fund Detail	Total
AB0	WIL04C	JOHN A. WILSON BUILDING FUND	301	(1,000,000)
AM0	BC101C	FACILITY CONDITION ASSESSMENT	300	(567,438)
	PL104C	ADA COMPLIANCE POOL	300	(200,000)
	PL402C	ENHANCEMENT COMMUNICATIONS INFRASTRUCTUR	300	(48,903)
			304	(101,097)
	PL601C	HVAC REPAIR RENOVATION POOL	300	210,000
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	(891,664)
	SPC01C	DC UNITED SOCCER STADIUM	300	(1,118,607)
AT0	IFSMPC	MP-NEW FINANCIAL SYSTEM	304	43,117,668
BA0	AB102C	ARCHIVES	300	(11,869,946)
BN0	BRM26C	HSEMA EMERGENCY OPERATIONS CENTER RENOVA	300	(250,000)
CF0	PFL08C	PAID FAMILY LEAVE IT APPLICATION	304	(16,500,000)

EB0	AWR01C	SAINT ELIZABETHS E CAMPUS INFRASTRUCTURE	300	45,271,655
FA0	BRM09C	EVIDENCE IMPOUND LOT RENOVATION	300	(1,250,000)
FB0	LC837C	RELOCATION OF ENGINE COMPANY 26	300	(3,850,000)
FL0	MA220C	EMERGENCY POWER SYSTEM UPGRADES	300	(750,000)
GA0	GM121C	MAJOR REPAIRS/MAINTENANCE	300	365,000
	OA737C	STODDERT ELEMENTARY SCHOOL MODERNIZATION	300	500,000
	SG403C	KEY ES	300	(500,000)
	TB137C	BRENT ES MODERNIZATION	300	(8,976,668)
HA0	NPKPPC	NATIONAL PARK PURCHASE	300	(5,000,000)
	QL201C	OFF-LEASH DOG PARKS	300	(1,550,000)
	QM701C	CHEVY CHASE COMMUNITY CENTER	300	(6,500,000)
JA0	HSW04C	WARD 4 TEMPORARY HOUSING FOR FAMILIES	300	(129,000)
	PSH01C	PSH UNITS FOR SENIOR WOMEN	300	5,673,332
			304	(5,673,332)
KA0	AW031C	S CAPITOL ST/FREDERICK DOUGLASS BRIDGE	310	23,900,000
	LMB31C	NEW YORK AVENUE MEDIAN STREETSCAPES	300	(1,000,000)
	LMSAFC	SAFETY & MOBILITY	300	1,039,000
	SA394C	STREETCAR - BENNING EXTENSION	300	(25,000,000)
KT0	CP201C	COMPOSTING FACILITY	300	(1,075,000)
	FLW02C	DPW - FLEET VEHICLES > \$100K	304	(3,375,000)
Grand Total				22,900,000

4324

4325 Sec. 9003. Applicability.

4326 This subtitle shall apply as of September 30, 2020.

4327 **TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

4328 Sec. 10001. Applicability.

4329 Except as otherwise provided, this act shall apply as of October 1, 2020.

4330 Sec. 10002. Fiscal impact statement.

4331 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
4332 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
4333 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

4334 Sec. 10003. Effective date.

4335 This act shall take effect following approval by the Mayor (or in the event of veto by the
4336 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
4337 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
4338 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
4339 Columbia Register.